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CALDERWOOD'S HISTORY

OF

THE KIRK OF SCOTLAND.

VOLUME THIRD.

THE WODROW SOCIETY,

INSTITUTED MAY, 1841,

FOR THE PUBLICATION OF THE WORKS OF THE FATHERS AND EARLY WRITERS OF THE REFORMED CHURCH OF SCOTLAND.

THE

HISTORY

OF THE

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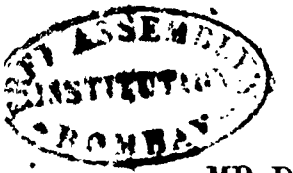

BY

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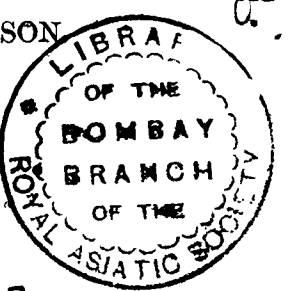

VOLUME THIRD.

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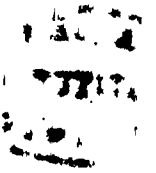

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EDINBURGH PRINTING COMPANY, SOUTH ST DAVID STREET.

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CALDERWOOD'S HISTORIE

OF

THE KIRK OF SCOTLAND.

THE ERLE OF LENNOX, REGENT.

THE TWENTIE-FIRST GENERALL ASSEMBLIE.

THE Generall Assemblie conveened at Edinburgh, in the Neather Counsel-hous, the fyft of Julie. Mr Robert Pont was chosin Moderator.

TRIELL OF SUPERINTENDENTS.

The Superintendent of Fife was delated for negligence in reparatioun of kirks. He answered, he could gett no officers of armes to putt in executioun letters against parochiners, where the said kirks were ruinous. The Assemblie ordeaned the superintendents and commissioners for planting of kirks to charge the collectors' officers within their provinces respective to execute letters for reparatioun of kirks decayed, who sall caus them be satisfied at the discretioun of the Assemblie, conforme to their diligence, and paines takin theranent.

ACTS.

It is ordeanned, that all superintendents and commissioners to plant kirks, with suche as they sall choose in their synodall conventions, sall heare the compts of the collectors of their owne provinces, at suche day and place as sall please them to appoint to the said collectors; and report to the nixt Assemblie what diligence and fidelitie they sall find in them; and that they sall have power to depose and reteane the said collectors, as occasioun sall serve, conforme to the Act of the Assemblie made before.

2. It is ordeaned, that all suche persons as for their offences resort to the Generall Assemblie, to receave injunctiouns, to shew signes of repentance, or present themselves before the samine in linnen clothes to receave farther injunctiouns, that heerafter they be warned by their superintendents, commissioners, and ministers, to compeere before the said Generall Assemblie the secund day of the same, peremptorlie.

3. Becaus some who had once accepted the charge of the ministrie had deserted their calling, the Assemblie ordeanned, that all and sindrie ministers who heerafter sall accept the said office, sall be inaugurated publictlie, conforme to the order sett doun in the end of the treatise of excommunicatioun; and sall protest solemnlie, that they sall never leave the said vocatioun at anie time heerafter, under the paine of infamie and perjurie; and that this be done and executed by superintendents and commissioners appointed for planting of kirks. And in like maner, that all ministers alreadie placed sall make the like protestatioun in their synodall conventiouns before the superintendents or commissioners, who sall insert the said protestatiouns frome time to time in their bookes, *ad futuram rei memoriam.*

4. It is statut and ordeanned, that ministers and elders of kirks universallie within this realme sall trie and examine all young childrein within their parishes, which are come to nyne yeeres of age; and againe when they come to the twelf yeere; and the thrid time when they come to the fourteene yeere; that it may be knowne

how they have profited in the schoole of Christ from time to time, and that their names may be writtin up by the ministers and elders of their parishes.

5. It was ordeanned, that as it pleased God of his mercie to erect the authoritie of the king's Majestie, with publict consent of the estats, even so the samine ought and sould be universallie obeyed throughout this realme, without acknowledging anie other authoritie, whatsoevér title be pretended. Moreover, that ministers, after their publict sermons, pray publictlie for the preservatioun of his Majestie's persoun and authoritie; with certificatioun, that all suche as sall be found negligent or disobedient sall be punished, as the Assemblie sall thinke expedient. Farther, it was declared, that if anie subject or subjects of this realme, of what estat so ever they be, sall tak upon them presumptuouslie to inhibite anie ministér to obey this ordinance of the Generall Assemblie, what cloke or colour so ever he or they pretend, or by minassing mak impediment unto them, so that ministers may not without feare serve God in their vocatioun, that in that cace suche troublers sall be summarilie, upon the notorietie of the fact, excommunicated, and sall be holdin rottin members, unworthie of the societie of Christ's bodie. And, last, the Assemblie commandeth all superintendents and commissioners of provinces to caus this determinatioun to be published in all the parish kirks, that none heerafter pretend ignorance. It was ordeanned, that this act sould be printed by Robert Leckprevick, that it might come to the knowledge of all men. The Superintendent of Lothian's letter, extant in 399 and 400 page, agreeth best with this time.[1]

Item, It was statut and ordeanned, by reasoun of the great troubles latelie raised by defectioun of some frome the king's Majestie's lawfull authoritie, that certane brethrein be sent from the Assemblie to all erles, lords, barons, and other gentlemen, that have made defectioun, as said is, to draw them by all meanes possible to the lawfull obedience of his Majestie; and to certifie them that dis-

[1] This letter is contained in Vol. II. p. 482.

obey, the Assemblie will use the sword against them, which God hath committed unto them. According to this Act, commissioun was givin to some ministers to travell with the duke, Argile, Eglintoun, Cassils, Crawfurd, Ogilvie, Boyd, &c.

PENITENTS ORDERED.

The penitents compeering to submitt themselves to the diseipline of the kirk, were ordeanned to repaire to their owne ministers respective, who would show to them the injunctions appointed by the Assemblie, to be fulfilled for signes of repentance unto the nixt Assemblie: and to compeere in linnen cloathes, bare-headed and bare-footed, the secund day of the nixt Assemblie, to receave farther injunctiouns; and everie one of them to bring a testimoniall frome their owne minister of their behaviour in the meane time. Others compeering in linnen cloathes, bare-headed and bare-footed, with testimonialls from their ministers, or testificatioun of their ministers there present, that they have fulfilled the injunctiouns layed upon them, were remitted againe to their owne ministers respective, to be receaved to the societie of the faithfull, according to the Act of the Generall Assemblie made the secund of Marche, 1559, in the secund sessioun of the said Assemblie. Others summouned by superintendents, commissioners, and ministers, often times called, but not compeering, it was ordeanned, that the sentence of excommunicatioun past against so manie as were excommunicated sould be intimated againe, and the caus declared wherefore; and that they proceed against others to the sentence of excommunicatioun for their disobedience.

QUESTIONS DECIDED.

Mrs Johne Craig, Johne Row, and David Lindsay, ministers; Mr Thomas Makcalzeane, advocat, David Forrest, called the Generall, Mr James Lowsone, sub-principall of Aberdeen, were ap-

pointed to decide questions. They reported their decisions as followeth :—

1. It being asked, What is the jurisdiction of a superintendent; and how farre it sould be extended? the answere was remitted to the Booke of Discipline.

2. If a minister, exhorter, or reader, be at debate with anie other man, for anie injurie in word or deid, the action of injurie belongeth to the magistrat, the slaunder to the kirk.

3. If a minister, being sufficientlie provided at anie kirk, have anie other benefices, the modifiers of stipends sall determine whether they sall reape the fruicts of the other benefices without sacriledge and thift, as they will answere before God.

4. It being asked, Whether it be Papistrie, when anie man professed in an abbey, sall be chosin ministrator or œconomus, by suffrages of these that have beene professed in the abbey, and by that electioun bruike the title? It was answered, The professioun was Papistrie before; yitt the ministratioun of temporall fruicts is a part of the policie, and no-wise Papistrie.

5. If the husband cloke the adulterie of his wife, notoriouslie knowne, lett him be called; and if he be convicted, lett the rule have place, "*Consentientes et agentes pari pœna puniantur.*"

6. The communioun may be ministred upon Pasche day, where superstition is removed.

7. That the magistrat be intreated to mak a law, that a man deflowring a virgin be constrained to marie her, or ellis to pay her dowrie, according to the discretion of the kirk.

8. If a woman, at the deliverie of her birth, alledgeth before the midwife that N. is the father of the childe, and being called before a judge, is readie to sweare the same, and the man als readie to sweare that he never had carnall deale with her, *neutro credendum.*

9. Ministers sall pray for the king's Majestie, according to the act made in this Assemblie, and for revenge of the regent's murther, notwithstanding they be charged by anie privat men to desist.

10. These that withhold the duetie of the kirk, wherby ministers are defrauded of their stipends, all things being first done

which the civill order requireth, the kirk may proceed to excommunicatioun for their contempt.

11. Ministers provided to benefices and manses, lett them be admonished to make residence, under the paine of deprivatioun.

12. That letters of captioun be raised against Popish preests excommunicated for ministratioun of the sacraments, selling of the same, and wilfull continuing.

COMMISSIONS.

Commissioun was givin to some superintendents, ministers, barons, and burgesses, or to anie seven or eight of them, to conveene the 12th of this instant moneth of Julie, with continuatioun of dayes, so oft as the nobilitie of the realme sall conveene betwixt this and the nixt Generall Assemblie; and in name of the Assemblie, present to the nobilitie articles, supplicatiouns, complaints, suche as the Generall Assemblie hath alreadie penned and delivered to them, or sall heerafter be delivered; to require answere and redresse; to assist, concurre, and consent, to all and whatsoever sall be treated in the said conventioun, tending to the setting fordward of the glorie of God, and maintenance of true religioun, and of the king's Majestie's authoritie; and also to tak cognitioun in all and whatsoever complaints, supplicatiouns, and requests, speciallie remitted to them by this Assemblie: And whatsoever sall be done by them in the premisses to report the same in the nixt Assemblie. Commissioun was givin to Mr Robert Pont, commissioner of Murrey, with assistance of the kirk-sessioun of Elgine, to proceed, after due admonitiouns, to excommunicatioun against Patrik Bishop of Murrey.

COMMISSIONERS CONTINUED.

Mr Robert Pont, commissioner of Murrey, and Mr Andrew Hay, commissioner of Cliddisdaill, craved to be disburthenned of their commissioun, but were requested to continue till the nixt Assem

blie. Ministers hunted not in these times for the offices of superintendents and commissioners, farre lesse for the plenarie power of bishops.

PENSIONS DISCHARGED.

The Assemblie discharged all and sindrie assignations and pensions granted by the Assemblie during their will, and ordeaneth the collectors of the kirk to intromett therewith heerafter; and to raise inhibitiouns against these who heertofor have had anie suche assignatiouns or pensiouns, except that which is assigned to the king's Majestie's hous allanerlie. And this to be intimated to the lords senators of the Sessioun of Justice, with requeist that no letters be granted by them to anie person having assignatioun of pensioun out of the thrids of the kirk, contrare to the tenor of this act.

THE QUEEN'S FACTION HINDERED TO HOLD THEIR PARLIAMENT.

The regent's first care is to hinder the parliament appointed to be holdin at Linlithquo the sixt of August. The king's lieges were charged to be at Linlithquo the thrid of August, with provisioun of twentie dayes' victuall. He sent to the captan of the castell for artillerie. He refused, pretending he would rather doe his diligence to stay the shedding of Scottish blood than to farther it. The regent cometh, notwithstanding, to Linlithquo, so the duke, Huntlie, the queen's lieutenants, and all their confederats, were disappointed.

THE GARISON LYING AT BRECHIN DISCOMFITED.

The Erle of Huntlie came no nearer than Brechin. He had placed an hundreth and three score waged souldiours there, and charged the inhabitants to provide victuals for some thowsands, against the tenth of August. The regent, with advice of the lords, determined to prevent the day, and surprize the Erle of Crawfurd, Lord Ogilvie, and Sir James Balfour, together with the band of

souldiours lying at Brechin. Patrik Lord Lindsey, William Lord Ruthven, and James Halyburton, Proveist of Dundie, were sent before with the choicest men of Dundie and Perth. They made good speed; but approaching to Brechin, they moderated their pace, to refreshe themselves for an assault. So the bruite of their comming prevented them. Ogilvie and Sir James Balfour being in the toun, after they had exhorted the captan and the souldiours to be of good courage, and promised to returne with Huntlie within certane dayes, with new forces for their releefe, retired themselves over the Mounth. They keeped beyond the day appointed, but gott no succour, except a letter invented by Sir James Balfour, and convoyed, as it were sent from Huntlie to the duke, wherin Huntlie is brought in, writting to the duke, that according to their appointment, he had drawin the adverse partie to these bounds, to the effect the purpose he knoweth might be performed with the greater ease in their absence: that he sall not faile to hold them doing in that countrie, yea, if it were to give them battell: that howsoever it fall he needeth not to care, if the peremptour be weill handled: that he feareth nothing but their suddane retreat: that if they passe by Dundie or Perth, he sall have some on their tailes, that they sall not find suddane passage: that the man in the craig (meaning Grange) will keep his promise. Albeit this letter was craftilie devised, to encurage their garisoun, and to terrifie the regent and his forces, yitt did the regent persist. He sent the Erle of Morton after the first forces, who came to Brechin with eight hundreth horse the day after. He sent backe the men of Lennox and Renfrew, incace anie invasioun were made out of Argile upon their countreis, and came him self to Brechin the thrid day. The gentlemen of the countrie about repaired to him. His forces amounted to the number of seven thowsand men. The souldiours had takin the steeple, or fled to the Erle of Marr's loodging for their defence; perceaving themselves destitut of all succour promised, randered themselves. Captan Cowtes, Captan Mure, and threttie of their souldiours, were hanged. Captan Wemes, becaus this was the first knowne fault, and was induced to it by the Laird

of Grange, captan of the castell of Edinburgh, was pardouned, but fynned. Huntlie being within twentie myle, labouring to gather forces, but finding few willing to assist him, fled with speed to his owne countrie.

TWO PROCLAMATIONS.

At this time there were two proclamations made at Brechin; the one discharging, under paine of death, that anie man call in questioun the king's authoritie; another answering to the Erle of Huntlie's calumneis, who had alledged that the Erle of Lennox was a sworne Englishman, and had professed obedience to a forrane prince. It was declared that he was a Scotish man, borne of an ancient and noble hous, and of the royall blood of the surname: that his hous had continued longer, and of greater antiquitie at the estate of an erledome, then the spotted houses of them that spread these shamefull lees and slaunders against him: that he was never sworne subject to anie prince in earth, preassed or burthenned to make faith or promise prejudiciall to his allegiance owed to the king and crowne of Scotland, but ever stood in assured hope and esperance to recover his owne rowme: that how soone God had putt an end to the furie of these that ruled in the minoritie of the queene, he obteaned a lawfull and honorable restitutioun of the pretended and partiall processe of forfaulture led against him by his ancient unfreinds, the time of their furie, to the which the said Erle of Huntlie voted; whose just forfaulture can not be so honestlie wiped away in the consciences of men, considering the wicked and detestable condition by which he obteaned his restitutioun, as to be a partner of the horrible murther of the king, the king's deerest father; a procurer of the pretended divorce of the said erle's owne sister; and a consenter to the unlawfull mariage of the queen, the king's mother, with Bothwell, the husband of another, and the cheefe executer of the murther of the king, her owne husband, then recentlie perpetrated. This declaratioun was printed by Robert Leckprevick.

A BRUITE OF A CONSPIRACIE AGAINST THE CITICENS OF EDINBURGH.

The regent returned to Stirline the fifteenth of August. During his absence in the north, the duke, Hereis, Lochinvar, Phairnihirst, and the captan of the castell, intended, as was bruited, to surprize Edinburgh at unawars, and to have hanged over their owne stairs the principall citicens who stood in defence of the king's authoritie. Whether this bruite rose of the fained letter above mentiouned, writtin by Huntlie to the duke, or otherwise, it is uncertane; but the bailliffes and counsell, and honest citicens, upon advertisement from the regent, conveened; and ordeaned that upon paine of five punds they sould be readie at the knell of the commoun bell, and beating of the drumme, to repaire to the bailliffes' loodgings, to receave their directiouns; and that everie housholder sould give up the names and number of strangers loodging in his hous, and what weapons they had, under the pain of death. These ordinances were proclamed the 15th day of August. They sent likewise two bailliffes, and some of the counsell, to the castell, to enquire at the captan if he was partner in the conspiracie; but he denied.

THE CASTELL OF DOWN BESIEGED AND RANDERED.

The regent went from Stirline to the castell of Downe, to besiege it. It was kept by the servants of the Lord of Sanct Colme's Inche, a false and feeble tratour to the good regent, a shame to the Stewarts. He was for the time in the castell of Edinburgh. The castell of Downe was randered after three dayes siege.

A COUNCELL OF THE REBELS HOLDIN IN ATHOLL.

In this meane time the regent sent one of his servants, called Johne Moone, to the Queen of England. But he was executed for

secreit practising with the king's enemies, for receaving their letters to carie, and for discovering to them sindrie secreits which were committed to his credit and trust. He had sindrie letters directed to the king's mother from the Erle of Atholl, Secretar Lethington, the old Ladie Setoun, and diverse others; for a little before, there was a great counsell holdin in Atholl, two or three dayes, where the duke, his two sonnes, the Bishop of Sanct Andrewes, Mr Gawin Hammiltoun, Abbot of Kilwinning, Argile, Huntlie, Atholl, Lethington, and Sir James Balfour, everie man accused another. Lethington layed suche a plaister to that wound of variance as he could best devise for the time. He exhorted them to continue constant in that course till the last of September, or foure dayes after; promising to them, upon his credit, assistance of strangers. Lethington, the Pryor of Coldinghame, and another brother, were summouned to underly the law, but compeered not, and therefore were denounced rebels. When he perceaved maters to fall out so unpleasantlie, he sent sindrie letters to the Scotish queen, to be subscrived and sent to the King of France, the King of Spaine, the emperour, the Gwises, to declare to them her boundage, and that her caus could never be heard. Wherupon they dealt by their ambassaders with the Queen of England, to this effect. The Queen of England sent Secretar Cicil and Sir Walter Melmant to confer with the Scotish queene. Her desire was to have her caus reasouned again. It is likelie that, in these letters was craved assistance of some forces for her restitutioun; wherupon the secretar promised, at this famous councell holdin in Atholl, assistance before the fourth of October. This famous councell was called the Councell of Ballach. It was their purpose to hinder the convention of the estats indicted to be holdin in October.

THE ERLE OF SUSSEX DEMOLISHETH CASTELS AND TOWRES IN THE WEST BORDERS.

The Erle of Sussex entered in Scotish bounds at the west border, the 22d day of August, and remained in the countrie till the 28th.

He demolished the castells of Annand, Howdan, Dumfreis, Carlaverok; the towres of Cowhill, Kinnall, and some others, that had mainteaned the Queene of England's rebels.

PROMISE OF ASSISTANCE IF THE MASSE BE ERECTED.

About the same time, there came from Flanders a little pinke, and in it two gentlemen, with Mr Johne Hamiltoun, called the Skirmisher, from Duke D'Alva. After they had remained certan dayes, and had tried the deepth of Montrose haven, and of certan other places, they returne to Flanders. All the comfort they brought with them to the rebels was, that if they would erect the masse, and maipteane the publict exercise of the Roman religioun, they sould nather laike men nor money, and that upon the Pop's expenses. So wrote Sir James Balfour to the Laird of Burlie. The Ladie Northumberland was directed ambassader, to bring better tidings, and with her, the wise Lord Seton.

MONSIEUR VIRACK RETURNETH.

About the end of August came from France first a pinnage, and after a ship, with that famous ambassader, Monsieur Virack, a notable pyrat. He brought with him oranges, rasins, bisket, bread, powder, and bullet, to furnishe the castell of Dumbartane.

THE ERLE OF SUSSEX SUSPECTED.

About the middest of September, the Erle of Sussex sent diverse missives to the queen's favourers, bearing in effect that their mastresse stood in good cace, with manie protestations of upright dealing. Whether these letters were begged, or freelie sent, was then uncertane, but his dealing was suspected by honest men.

QUEEN ELIZABETH'S PROMISE.

After this came letters from Mr Randulph, willing him to assure the lords mainteaning the king's authoritie that it behoved the queene, his mastresse, to enter in communing with the Scotish queene, but had promised to provide sufficientlie for the preservatioun of the young king.

MR JOHNE KELLOE'S DEATH AND CONFESSION.

Mr Johne Kello, minister of Spott, suffered at Edinburgh, upon the scaffold, the fourth of October, for the murthering of his wife.[1] He aggredged his owne fault before the multitude, and desired the people not to measure the truthe of God's Word by the lives or falls of the preachers; and as the profane were prompt to speek of his fall, so his repentance might move them, and humble their hearts. He came not compelled or apprehended, by the hands of justice, but was perswaded by freinds to flee to some other countrie. Yitt was he willing rather to glorifie God in his death, than that his life sould be a slaunder and discredite to the truthe. He confessed that his wife gave him no just caus of offence; and if things past could be amended, there was no flesh he would choose rather to be associated with in mariage than with her. As for the practise of magick, he tooke God and his angels to witnesse that he never had anie ingresse in magick, nor was farther curious to understand, than God had manifested in His Word. Becaus his first ingresse in the Kirk of God was unfained, and without hypocrisie, to sett furth His glorie, and publishe the truthe, he had assurance in God's merceis, that albeit He had suffered him to fall, yitt he was not even destituted of confort to the end. Becaus he was not able to stretche out his voice to the eares of the whole people there con-

[1] Bannatyne informs us that this atrocious deed was eagerly laid hold of by the enemies of the Reformation, and published in foreign countries, but without any mention of the culprit's sincere repentance.

veened, he said he would leave a short memoriall against himself of his owne offence, wherin the whole ground and proceedings are discovered, which I have heere subjoyned; which he also uttered in the audience of so manie as could heare him. Then he desired all good Christians to forgive him the slaunder, speciallie the preachers of the Word, whose doctrine and labours Satan had laboured through him to deface. He desired all good Christians to incall earnestlie upon God, to continue his favour and grace with him to the end. Then he prostrat himself upon his face, and prayed so ferventlie, that these that heard mourned.

THE MEMORIALL OF MR JOHNE KELLO HIS OFFENCE.

"I had first a little portioun of money in myne owne hands, which I bestowed in Linlithquo upon profite, and did wickedlie receave some gaines and filthie ocker[1] thereby,—a thing (alas!) over muche used in this countrie. This maner of doing kindled in me a desire of avarice, which the Apostle Paul, not without caus, termeth the root of all evill. And therafter, after a certane time that I had bestowed it in the toun of Spott, I bought a portioun of land there, for the which I wedsett lands at Linlithquo, and contracted farther debt. Then, being disappointed of the ordinar provisioun for preaching of the Word, and not weill intreated of them whose duetie was to have takin care for me, I entered into a mervellous perplexitie of minde, and opened a readie window to the tentations of the enemie. For I reasouned with myself, that being single, without a partie, I might the more easilie spend my time; and nixt, incace I would marie therafter, I might joyne myself with suche a one as sould have freinds in the countrie, to mainteane me in my possession, and procure my farther advancement.

"Thir were the glistering promises wherewith Satan, after his accustomed maner, deluded my senses, and prevailed so in my corrupted minde, that the space of fortie dayes together I did await onlie upon the opportunitie to putt my wicked desire in executioun.

[1] Usury.

Yitt sometimes, having the commoditie offered, God strake suche terrors in my heart, that I was not able to performe my intent. Immediatlie therafter, I was visited with sicknesses and great diseases, which I am assured were the messingers of God to move my heart to his obedience. But that which sould have served to abstract my minde from the conceaved impietie, I abused most wickedlie to bring my purpose to effect; for, under pretence of sicknesse, I laboured secreitlie to have takin her away by poysoun. And when I perceaved that the cleannesse of her stomacke did reject that violence, I was alwayes preassed fordward by the tentatioun of the enemie, till I had performed that cruell fact with my hands against her who, in the verie death, could not beleeve I bare her anie evill will, but was glade, as she then said, to depart, if her death could doe me ather vantage or pleasure.

"But the farther that I doe remember of her, the more intolerable is the burthein of my displeasure, which, notwithstanding, I laboured by hypocrisie to have coloured. For, a certan space before her death, I did mak my testament, and therin appointed her to have the whole cure of my geir, and upbringing of my childrein, that no man sould suspect me to be author of that wickednesse which I had conceaved; and immediatlie before, did spread abroad a rumour of her, that she was tempted terriblie in the night, that it might therafter appeare her self to have beene the author and murtherer of her owne self. Likewise, after I had strangled her, I left the keyes within, and escaped by a backe doore of my studie, which was not accustomed to be opened.[1] And when the bruite did arise that she had murthered her self, (for the good opinioun

[1] The following frightful addition to this part of the event is given by the author of the "Historie of King James the Sext," publishgd by the Bannatyne Club:— "He stranglit hir in hir awin chalmer, and therefter closit the ordinar dur that was within the hous for his awin passage, and sa fynelie semit to cullor that purpose efter that he had done it, that immediatlie he past to the kirk, and in presence of the people maid sermon as thoght he had done na sik thing. And when he was returnit hayme, he broght sum nychtbours in to his hous to vissie his wyffe, and callit at the ordinar dur, but na answer was maid; then he past to another bak passage with the nychtbours, and that was found opin, and she hinging stranglit at the ruf of the hous."

that everie man had, als weill of my doctrine as conversation, made no man to suspect my innocencie,) I did faine myself onlie to be solicite for her salvatioun; and to dispute with them that came to comfort me, whether it were possible that she who had putt hands in her self could be under the protectioun of God; and whether anie man might suppose, that being under so terrible tentatioun, she could once sob for God's merceis. And that my affectioun toward her might appeare the greater, I did so farre abuse the light of my owne conscience, as to denie, in plaine termes, there was a God, who suffered so innocent a creature give place to the tentatioun and rage of Satan; which things I past about, most craftilie to conceale.

"Yit the good providence of God did, by little and little, bring all things to light, and me to that acknowledgement of my owne offence, that I desire nothing more under God, than to be separated from the contagioun of this wicked flesh, in which I have so offended God and dishonoured his name. And, indeid, there was no small support in the mouth of some faithfull brethrein to bring me to this confessioun of my owne offence. But above all, Mr Andrew Simsone, minister of Dumbar, did so livelie ripe up the inward cogitations of my heart, and discover my minde so plainlie, that I perswaded myself God spake in him. And besides other notable conjectures which he truelie deduced before my eyes, he remembred me of a dreame which, in my great sicknesse, did appearandlie present the self. 'Brother,' said he, 'I doe remember, when I visite you in time of sicknesse, yee did open unto me this visioun: that yee were caried by a grim man before the face of a terrible judge, and, to escape his furie, yee did precipitat yourself in a deepe river. When his angels and messingers did follow you with two-edged swords; and ever when they strooke at you, yee did declyne and jowke in the water, whill in the end, by a way unknowne to you, yee did escape. This visioun I doe so interprete; that yee are the author yourself of this cruell murther, then conceaved in your heart; and are careid before the terrible judgements of God in your owne conscience, which now standeth in God's

presence to accuse you. The messinger of God is the justice of the countrie, before which yee sall be presented. The water wherin yee stood is that vaine hypocrisie of your owne, and fained blaspheming of God's name, whereby yee purpose to colour your impietie. Your deliverance sall be spirituall: for, albeit yee have otherwise deserved, yitt God sall pull you furth of the bands of Satan, and caus you confesse your offence, to his glorie, and confusioun of the enemie. Nather doe yee in anie wise distrust in God's promises; for yee sall find no sinne almost committed by the reprobat, but you sall find the childrein of God to be fallin in the like. And yitt, the same merceis of God abide you, if from your heart you acknowledge your offence, and desire at God pardoun.'

"At this time did God move my heart to acknowledge the horrour of my owne offence, and how farre Satan had obteaned victorie over me. But as the flesh is carefull of the self, I discoursed within my owne heart what thing ratherest to doe for my owne releefe; of the which two necessiteis occurred; ather to abandoun this countrie, or to remaine. If I left the countrie, and accepted the deid upon me, I sould live in perpetual terrour, and have the marke of Cain upon me; besides that I sould leave a perpetuall infamie upon the Kirk of God, wherof before I was compted a member, albeit unworthie. So did I conclude to remaine. But heere had I the battell more strong with my self: for I thought to have dissimulat my fact before the world, and did enter in this argument, that sufficient it was to acknowledge my offence before God, nather was it necessar to publishe my owne shame before men; and did so flatter my self with this reasoun, whill at last, 'What if I be presented before a judge, where confessioun of the truthe sall be required? Sall I not onlie live in murther, but heape sinne upon sinne, and confirme my damnatioun with perjurie? Sall the love of this wretched life so shoot the doores of my heart, that I sall never returne unfainedlie toward my God? Sall I, miserable creature! leave an immortall slaunder upon the Kirk of God, for the which Christ, the Sonne of God, gave his life? God forbid!' And so did I conclude myself to make publict confessioun of my offence, and

present me to receave punishment, which cannot be sufficientlie imagined for my deservings. And, indeid, this farre I doe witnesse, that I was evidentlie troubled and diseased, not onlie in minde, but in bodie also, ever whill I resolved with myself to take this journey in hand; and sensyne I have beene at suche rest of both, that I am at a quietnesse with God in my conscience, and have suche strenth of bodie, as I had not this long time agoe."[1]

A PARLIAMENT HOLDIN.

Great paines were takin for staying the holding of the parliament in October, speciallie by these who were guilty of the murther of the king and the good regent. By the mediatioun of the Queen of England, who had promised to the Spanish and Frenche ambassaders to heare both parteis, and to tak up the controversie, if it were possible, they obteaned that no act sould be made at this parliament, which was to be holdin the tenth of October; and, indeid, nothing was done in it but the regent his authoritie confirmed. The captan of the castell was required to deliver the sword, the scepter, and the crowne, which of ancient custome have beene borne in time of parliament. At the first he gave doubtfull answere, but in end he utterlie refused, supposing by that meane to have hindred the holding of the parliament. But the estats judged it no more sinne to hold a parliament without these ceremoneis, than a bishop needeth to make scruple to preache without his rotchet, myter, and ring. Assurance was granted to the rebells, favourers of the queen, for two moneths. The parliament was prorogued to the 14th of Januar.

THE REBELS SEEKE THE AIDE OF FORRAINERS.

Notwithstanding of the assurance, the rebells solicited the

[1] According to the penalty appointed in such cases, he was hanged, his body was afterwards burnt to ashes, and all his goods were forfeited to the crown. The family, however, of the unhappy man, consisting of a son and two daughters, got a gift of the escheat.—See Pitcairn's *Criminal Trials in Scotland*, Vol. I. Part 2, p. 14.

Spanish and Frenche ambassaders to procure some forces for restitution of the Scottish queene. The Pope was desired to assist with money, becaus he could not convenientlie send forces so farre off. The Pope sent one to trie the power of the Popish factioun in this countrie. He finding them too weake for so great an interprise, and the rebells not to agree in that point, went to England. There, finding the Popish factioun stronger, he stirred up the subjects against the queene, and caus affixe the Pop's bull, absolving them from their oath of obedience.

PICTURES AND FAINED PROPHECEIS.

About this time a present was sent, as was supposed, from the witches of Atholl to the Scottish queene; a prettie hart horne, not exceeding in quantitie the palme of a man's hand, covered with gold, and artificiallie wrought. In the head of it were curiouslie engraven the armes of Scotland; in the neather part of it a throne, and a gentlewoman sitting in the same, in a rob royall, with a crowne upon her head. Under her feet was a rose environned with a thistle. Under that were two lyons, the one bigger, the other lesser. The bigger lyon held his paw upon the face of the other, as his lord and commander. Beneath all were writtin these words, "Fall what may fall, the lyon sall be lord of all." At this time was forged this rude ryme:

"The howlett sall lead the beare to his baine.
The Queene of England sall dee the twelve yeer of her raigne.
The court of England that is so wantoun,
Sall shortlie be brought to confusion."

Such propheceis smelled of treasoun. The like was spread before the murther of the good regent.

MR KNOX STRIKIN WITH APOPLEXIE.

Mr Knox was stricken with a kinde of apoplexie, whereby the

perfyt use of his tongue was hindered. The bruite went through Scotland and England that he was become the most deforme creature that ever was seene: that his face was turned awry to his necke: that he would never preache nor speeke againe. But within few dayes he preached, and his enemeis proved leers.

THE REBELS BECOME INSOLENT.

The bruite of the appointment of the two queens daylie encreassed. The rebells affirmed boldlie that she would be restored to her authoritie before Christmasse, in esperance wherof they were emboldened to committ whatsoever enormitie pleased them. It was thought that they were the more confident, that the Erle of Sussex, the Queen of England's lieutenant in the north, favoured the Scottish queene, not altogether despairing of her restitution. The posts went frequentlie from the castell of Edinburgh to the north, where Lethington was.

GRANGE RESCUETH VIOLENTLIE A MURTHERER OUT OF THE JAYLE.

Sir William Kirkaldie of Grange was a long time suspected by manie. Yitt his former conversation preserved his credite with manie, till suche time as his insolencie bursted furth so openlie, that it could not be excused. Johne Kirkaldie, sonne to Patrik Kirkaldie, father-brother to Sir William, receaved some injurie in the toun of Dumfermline by one George Durie. A gentleman called Henrie Seton was in his companie. This gentleman having ended his bussinesse in Edinburgh, whill he was readie to enter in a boat at Leith, was invaded by six of Sir William his servants. First the batoun was presented to him. He, enraged at suche an indignitie, made him for defence, and hurt one of the six. They, unmyndfull of the charge givin to them, left the battoun, and fell to sharpe weapouns, and cruellie murthered him, after that the cable of an anker had takin his feete from him. They preassed by

speed of foote to escape to the castell of Edinburgh; yitt one of the number, called Fleeming, was apprehended, and committed to the jayle of Edinburgh. The captan bade treat him weill, for he would not suffer him to be punished for obeying his commandement. The rest came over at the North Loche, upon the yce, and were receaved by the captan. He threatened to shoot at anie would come neere them. The deacouns of the crafts were easilie perswaded to assist him to his wicked interprise. The cannons of the castell were mounted, and a ramme made, to mak open doores. At supper time, between six and seven at night, upon Thursday the 21st of December, a companie cometh from the castell to the tolbuith, without noise or clamour. The passages whereby men might have assembled to hinder their enterprise were stopped by armed men standing with culverings, picks, and other long weapons. The darknesse of the night covered their faces. The captan himself, and the Lord Hume, keeped the utter warde, above the Upper Trone, that none might come betwixt them and the castell. They provided also that none sould have accesse to the commoun bell. The Laird of Drylaw, cheefe leader of the band, required open doores. The jaylour refusing, the ramme was sett to, which quicklie made them open. So the hous of justice was violated, the murtherer violentlie rescued out of the hands of the magistrats; and to give the regent, who was then in the toun, a defyance in his face, nyne great cannons were discharged. No harme was done, but that Johne Wallace' hous was shott through, and a barn in the Cannogate.

MR KNOX DECLAMETH AGAINST GRANGE.

Upon the Sabboth day following, to witt, the 24th of December, Mr Knox, in his sermon, affirmed, that in his dayes he never saw so slanderous, so malapert, so fearefull, and so tyrannous a fact. "For," said he, "if the committer had beene a man without God, a throt-cutter, one that had never knowne the workes of God, it would have moved me no more than other ryots and enormities

which my eyes have seene the prince of this world, Satan, to raise by his instruments. But to see the starres fall from heaven, and a man of knowledge committ so manifest treasoun, what godlie heart cannot lament, tremble, and feare? God be mercifull! for the exemple is terrible, and we have all need earnestlie to call to God, that we be not led into tentatioun; but speciallie to deliver us from the companie of the wicked; for, within these few yeeres, men would have looked for other fruicts than have budded out of that man."

GRANGE HIS LETTER TO MR CRAIG.

The captan was so offended with this reprooffe, that both God and civill honestie were forgot with him. He sent his servant after noone to Mr Craig, with a letter writtin as followeth, which he delivered to him sitting in the pulpit:—

"This day, Johne Knox, in his sermoun, called me, openlie, a murtherer and a throat-cutter, wherin he hath spokin farther than he is able to justifie. For I take God to witnesse, if it was my minde that that man's blood sould have beene shed, of whom he calleth me the murtherer. And the same God I desire, from the bottome of my heart, to powre out his vengeance suddanlie upon him or me, which of us two hath beene most desirous of innocent blood. This I desire you, in God's name, to declare openlie to the people. At Edinburgh castell, the 24th of December 1570."

Mr Craig answered, that he would read nothing in that place, without the knowledge and consent of the kirk. This dart being shott, the force of it vanished; yitt the bruit went to more countreis than one.

GRANGE'S COMPLAINT TO THE KIRK-SESSION OF EDINBURGH.

The captan, to utter his greefe yitt farther, directed a complaint to the sessioun of the kirk of Edinburgh, the 28th of December. He declared how his cousin-german, Johne Kirkaldie, being charged to compeere at a justice-court in Dumfermline, the 11th of this in-

stant moneth of December, to passe upon an assise of certan persons for the slaughter of umquhile Johne Whyte, in Kirkaldie, and repairing to the toun of Dumfermline in peaceable maner, was invaded by George and Lawrence Durie, brethren to the Laird of Durie, and umquhile Henrie Seton, his servant, with their complices: that whill he was going to the kirk of Dumfermline, he was buffetted ignominiouslie with the fist of the said George; and in the mean time, the said Henrie and the rest drew their swords, and had slaine the said Johne Kirkaldie, if the proveist had not come and sindered them: that the said Henrie had latelie crossed his servant's way in the streets of Edinburgh, with jesting and mocking countenance: that when he sent some of his servants to Leith, to beate him with a battoun, he inhibited them to draw a sword: that the hous of Durie had done manie injuries to him and his: that the cheefe of that hous was the cheef author of the death of his goodsir, the Laird of Raith, and of the ruine of his hous: that since that time they have continuallie troubled his posteritie and freinds, in their righteous titles, native rowmes, and old possessions. The rest of the heads of the complaint may be collected out of the answeres which Mr Knox made by word and by writt.

MR KNOX HIS ANSWERE BY WORD.

After that Grange's complaint was read in the sessioun, the copie of it was sent to Mr Knox; for he came not furth but upon the Lord's day before noone to preache, by reasoun of the infirmitie of his bodie and sickenesse. He answered, he sould send his answere in writt the nixt Thursday to the sessioun. Becaus there were some lees so manifest that he could not with safe conscience passe them with silence, the nixt preaching day he requested the presenters not to be offended, and to desire the sessioun not to be offended with him although he defended his owne innocencie, seeing he was a preacher. Which being granted, the nixt Lord's day in sermoun he said, "I am compelled, and that by impudent and

manifest leers, to crave of you, loving auditors, as yee will answere to God, to beare true and faithfull witnessing. I am greevouslie accused, as a bill delivered to the sessioun of my kirk doeth proport. And, therefore, to you, as to my competent judges, have I my refuge, desiring you yitt once again, as yee will answere before the justice-seate of God, to spaire nothing of the veritie. Is there anie of you that heard me, in this publict place, call the Laird of Grange, now captan of the castell of Edinburgh, a cruell murtherer, an open throat-cutter, and one whose nature I had long knowne to be blood-thristie? &c. Or was not the conclusioun of my just reprehensioun and complaint directed to the plaine contrare end? I accused indeid that unjust and cruell murther; I affirmed the violating of the hous of justice to be treasoun; and, finallie, I compleaned, that the like enormitie and pernitious exemple I never saw in Scotland. Not but I had seene murther and rebellioun before; yea, I have seene magistrats gainstood, and the supreme magistrats of the crowne besieged in their owne tolbuith; and I have seene condemned persons violentlie reft from the gallows and gibbet. But none of all these forenamed can be compared to this last attemptat. For if the maisters and authors of this last ryott had beene knowne before to have beene open throat-cutters, blood-thristie men, and suche as had beene voide of the true feare of God, I would have beene no more moved at this time, than I have beene at other times before. But to see stars fall from heaven; to see men who have felt als weill God's judgements as merceis, in a part; and to see men of whom all godlie hearts have had a good opinioun—to see, I say, suche men so farre careid away, that both God and man are not onlie forgott, but also publictlie despised, is both dolorous and fearefull to be remembred. For I have knowne that man in his greatest extremitie, when he might have sett himself at freedome by shedding of blood, at the counsell of sober men, he utterlie refused all suche crueltie, and tooke a hazard to the flesh most fearefull; which God notwithstanding blessed, having a respect to the simplicitie of his heart. And therefore then I said, and yitt I say, that this exemple in him is the most terrible

exemple that ever I saw in Scotland. I know that some have made other report. But in their face, I say, that of their father the devill they have learned to lee, wherin if they continue without repentance, they sall burne in hell." This muche being spokin in pulpit, he made a generall answere in writt as followeth:—

MR KNOX HIS ANSWERE IN WRITT.

"To the long narrative preceeding the complaint of the said Sir William Kirkaldie unto your wisdoms, and his accusatioun of me, I answere nothing, save onlie this, that his owne confessioun convicteth him to be a murtherer in heart, before that his servants committed murther in deed. For his owne confessioun is, that he, moved by diverse misbehaviours of umquhile Henrie Seton, sent certan of his servants to Leith, to have dung the said Henrie with a battoun; which directioun and charge, I avow, was murther before God, before anie blood was shed. For our Maister, Jesus Christ, and his Apostle Johne, pronounce the hatred of the heart to be murther before God: yea, Johne affirmeth that whoso loveth not his brother is a manslayer. The Apostle Paul affirmeth that love worketh not evil. And so, the charge to strike with a battoun, imported with it, from the first conception therof, murther, which hath burst furth, to the knowledge of the world, in moe sorts than one. I utterlie denie that I have done or said anie thing in publict reprehensioun of the said Sir William, repugnant to the duetie of a faithfull pastor: yea, I feare not to affirme, that a true pastor nor a faithfull watcheman I had not beene, if I had keeped silence at so open a slaunder, and so proud contempt both of God and man. And this for summar answere to his whole complaint, refering the particulars to farther opportunitie. Where he compleaneth, that privie admonitiouns past not before, I answere, that nather to him nor yitt to anie that in suche sort offendeth perteaneth privie admonitioun. But against so proud and manifest attemptats belongeth publict apprehensioun, that others may feare, according to the commandement of the Apostle Sanct Paul, 1 Tim.

v. Where he compleaneth that I called him open tratour, unmercifull murtherer, and a plain throat-cutter, and that I did expresse him by his name, giving the people to understand that I had certane knowledge, prooffe, and experience, of his nature and inclinatioun to be bent to murther and bloodshed, &c., becaus that this part of his accusatioun and complaint is manifestlie false, and so farre contrarious to my words, I omitt all answere and purgatioun of my self, that onlie excepted, which, in publict audience, I gave upon Sunday last. But, in my rigorous accusatioun, (as it pleased the said Sir William to terme the publict discharge of my conscience, and duetie to God, to his kirk, and to him, then, and yitt, alas! I feare, sleeping in sinne;) that my publict denunciatioun of his defectioun, I say, is anie wise contrarious to the acts, ordinances, and practises of this, or anie other weill-reformed kirk, or yitt against the rule of Christian charitie, I utterlie deny. For in this kirk, since the erecting of it, this order hath beene observed, that upon the notorietie of suche enormiteis committed within our owne bodie, publict declaratioun hath beene made to the whole people, as I suppose your wisdoms doe weill eneugh remember and understand. And, therefore, I superseed anie farther probatioun in that head, and also farther apologie or defence of my self, unlesse your wisdoms please give me new commandement. And so for conclusioun, I say, the said Sir William most unjustlie accuseth me, who have done nothing in all that action beside the duetie of a faithfull pastor. That I am flesh and blood, and clothed with manlie passiouns, as he alledgeth, I never denied. But that ather flesh of blood impired in me, in rebooking his manifest impietie, that I utterlie denie, praying God that yee may deale with him so faithfullie and so uprightlie, that yee communicat not with his sinnes; but that it may please God so potentlie to worke with you, that he may be brought to the deepe consideratioun of his fearefull defectioun, and so to unfained repentance, by continuance wherof, he may escape the vengeance pronounced, and that inevitablie sall fall upon all impenitent persons. And this for answere, in generall, being readie (as habilitie of bodie will serve or suffer, and

if it please you to command me) to answere everie heed in particular.

"Yours to command in God,

"JOHNE KNOX."

GRANGE HIS SECUND BILL TO THE SESSIOUN.

Upon the declaratioun made in the pulpit, the captan sent a new bill to the session, the tenor wherof followeth:—

"Right reverend ministers, elders, and deacons of the Kirk of Edinburgh, unto your godlie wisdoms humblie meanes and shewes I, your servitour, and one of your brethrein, William Kirkaldie of Grange, knight: Forsameikle as I have this day eight-dayes a complaint upon Johne Knox, minister, tuiching a part of his sermon made by him that day concerning me, which, as I was informed by diverse that heard the same, was takin, reported, and understood by them, and manie others, to be spokin to my great injurie, slaunder, and defamatioun, as at more lenth is conteaned in my said complaint: Neverthelesse, I understand that the said Johne Knox, minister, upon Sunday last, declared in his sermoun, the meaning of his words and intent to have beene other than they were takin by manie; and uttered in lament, and for amendment of my fault, and not to my hurt, injurie, or defamatioun. I am content to give place to the truthe and credite of his owne declaration, and so quiett myself in hope of the mercie of God, and not to unquiett your wisdoms or him, by further pursute of the complaint. Onlie desiring, if it please him and you, for satisfactioun of suche as understood and reported his speeches otherwise than he declared, to give his said declaratioun in writt, otherwise referring the same to God, and the end of the same mater which will declare. And your wisdoms' answere I beseeke."

MR KNOX HIS ANSWERE BEFORE THE SESSION.

As Mr Knox was going to the sessioun of the kirk, to answere more particularlie to Grange his complaint, this other bill was presented to him by two elders. When it was read, he said, "I will goe to the sessioun, and give my owne answere." So, creeping upon his club, he came in before them, and, standing, said, "This day was assigned to me, to answere the complaint of Sir William Kirkaldie of Grange, knight. But becaus, as his letter proports, he is not willing to persue the same, whatsoever pleaseth you pleaseth me; for, God knoweth, I have never beene an enemie to that man. And, therefore, his pursute ceassing, my defence sall ceasse. But two things I must protest and require of your wisdoms: First, That this my easinesse to be entreated, nather prejudge myself, nor anie of my brethrein, fellow-preachers. For what it is to accuse a minister for discharging of his office, I suppose yee understand. The secund is, That yee suffer not the gentleman sleep longer in his sinne, ensnared by Satan. It is your duetie to have compassion on him. Therefore, Superintendent, I pray you (for the mater cheefelie tuicheth you) be faithfull and stout in your office. Admonish him of his offence committed against God, against the partie, against the kirk, and cheeflie against the magistrat."

MR KNOX INSISTETH IN HIS REBOOKE.

The Superintendent of Lothiane was directed by the sessioun to the castell. It was bruited in the eares of some, that the captan had satisfied the superintendent in all things, and would satisfie the kirk as they would command. In the meane time went another bruite, that Mr Knox had recanted, and asked the captan mercie. The Sabboth day following, Mr Knox in his sermoun declared the nature of true repentance; how it brought with it humiliation without excuse, and how true humiliation procured of God delay of plagues, at least for a time. This he illustrated by

Elias reproving Achab for the slaughter of Naboth, for that he approved the fact when it was done. This sermon exasperated the captan. He came to the sermon the Lord's day following, as he had not done before almost a whole yeere, accompaneid with the cheefe murtherers, and suche as had brokin up the jayle doore. Mr Knox forewarned proud contemners, that God's mercie apperteaned not to suche as with knowledge proudlie transgressed, and therafter most proudlie mainteaned their transgression.

THE PROFESSORS OF THE WEST CAREFULL OF MR KNOX.

The captan conceaved a new displeasure. The bruite went that the Laird of Grange had sworne himself enemie to Johne Knox, and would slay him. Wherupon Glencarne, Uchiltrie, Cuninghamheid, William Cuningham of Caprinton, Barganie, Johne Lokhart of Barr, Hugh Wallace of Carnall, Johne Foullertoun of Dreghorne, Johne Cathcart of Carleton, Gilbert Kennedie of Dalquharne, Johne Neilson of Craigcaffie, Hugh Kennedie of Bennam, Thomas Kennedie of Lambie, directed a missive from Air, the thrid of Januar, signifeing to the captan, that they could hardlie be perswaded that he who had beene not a simple professor, but a defender of religioun, could be moved to doe anie harme to him, in whose protectioun and life standeth the prosperitie and increasse of religioun: protesting that the life and death of that man whom God had made both the first planter, and also the cheefe waterer of his kirk among us, was als deare and pretious to them as their owne lives and deaths; desiring also a declaration of his minde in that mater, with the bearer, whom they had directed to him with farther credite.

THE QUEENE OF ENGLAND'S ANSWERE TO THE REGENT'S LETTERS.

Soone after the parliament holdin in October, the Queene of England sent letters to the regent, desiring some noblemen to be sent, with commission for the king, to reasoun with the other par-

tie, promising it sould not be prejudiciall to the king or his authoritie. Upon the 7th of December she wrote to the regent an answere to the letters the Commendatare of Dumfermline had brought unto her, and declared unto her, so farre as time would permitt, resolving no farther for the present than the commendatare sall informe them; referring farther answere to the comming of the commissioners, who were looked for to be there before this time. Her requeist was for the present, that the abstinence of hostilitie betwixt both parteis be keeped fullie for two moneths, seing the other partie hath agreed for two moneths. And, considering that this space of time being alreadie weill spent, will not suffer the treatie of the commissioners, that there be a further abstinence agreed upon by both parteis, and that the same be extended to Marche following; praying them to advertise her of their resolutioun with speed, becaus the other partie agreed at the first time, that there sould be an appointment not onlie for two moneths, but also als long as it sould be thought meet in her judgement, as the commendatare did see, under their hands and seales.

THE QUEEN OF ENGLAND HER ANSWERE TO THE COMMENDATARE OF DUMFERMLINE HIS INSTRUCTIONS.

The queen's Majestie hath perused the instructions which he brought from the regent, and findeth in them diverse things worthie of consideratioun, which, without farther debating of them, cannot be weyghed as they import. And, therefore, her Majestie wished that some suche persons of that estat as have credit and acquaintance with these causes, might furthwith repaire hither for that purpose, with whom her Majestie will have farther and more particular conference upon these articles, as sall be fitt. And for the principall point, tuiching the restitutioun of their queene; considering that, by their sindrie answeres, als weill heertofore made as now at this time, it seemeth that, by their allegatiouns, their pretended caus in justice is to stay the same, her Majestie would that the regent, and others of the king's part, sould understand that she never in-

tended, nor will grow in resolutioun therin, that sall appeare unto her to be against justice or otherwise, untill their caus may be honorablie provided for to all purposes. And, therefore, whatsoever they can make apparent to her Majestie, for their continuance and conservatioun, to be agreeable with justice, her Majestie will be readie to understand the same, and therupon further doe as sall be to their satisfactioun, for the continuance of the part they hold. And if, percase, on the other side, they sall not be able to fortifie their caus with suche evident reasouns as her Majestie may with conscience satisfie herself, and with honour answere to the world, then, neverthelesse, her Majestie, for the naturall love she beareth to the king, her owne kinsman, and good will she hath to the nobilitie on his part, and their associats, will leave no meanes to provide for all their safeteis. In both which cases, it is easilie to be seene how necessarie the presence of some fitt personages is to be sent from them, with whom her Majestie will treate to those ends, if they sall thinke good to send them; and, therefore, required the abbot, ather by himself or by his advertisement, to give knowledge of this her Majestie's answere to these noblemen with speed, that they may speedilie dispatche the commissioners sufficientlie authorized, to conferre with her Majestie in either case, so as, by no delay of time, the good intent her Majestie hath for them be hindered. And, considering the good opinioun her Majestie hath conceaved of the sinceritie and discretioun of the said abbot, she wished him to be present with suche as came for that purpose.

M.D.LXXI.

THE PRACTISES OF THE REBELS IN TIME OF ABSTINENCE.

Abstinence from hostilitie being agreed upon, and again renewed, yitt did not the rebels absteane from secreit and open practises. The captan of the castell, nourished in great esperance of the returning of the queene, spread a bruite, that the Queen of England

had offered to him and for his caus, to Lethington, reparation of all losses that they or their freinds had susteanned. The death of the regent, the Erle of Morton, and Alexander Hume of Manderston, was contrived by Lethington and the captan, as was supposed; and it was suspected that the Lord Hume, who was in the castell, sould have been the executioner. Johne Cowper, apprehended upon suspicioun, confessed, and delated George Craw as partner, constantlie avouching it to be true. But the other, by moyen of freinds, escaped triell. In time of the abstinence, Pasley Hous was takin from the Lord Sempill's servants by the duke's sonne, Claud Hammiltoun, and fortified with men and munition.

THE HOUSE OF PASLEY RANDERED.

After that the Erle of Morton and Mr James Makgill, Clerk of Register, were directed commissioners to England; and had entered in their journey the fyft of Februar, accompanied with twentie-four gentlemen, the regent went to Glasgow, where he appointed the lieges warned before by proclamatioun to meete him the 14th of Februar. The Erle of Glencarne, the Laird of Barganie, the Laird of Blaquhan, and their freinds, were appointed six dayes before to conveene secreitlie, and ly about the House of Pasley till the regent came, which was done. The Hammiltons gathering to their releefe, were driven backe, and some hurt. Upon Saturday, the 17th of Februare, the house was randered without promise or compositioun other than the regent's will undeclared. They were all brought to Glasgow. The gentlemen were delivered to the Laird of Minto, captan of the castell; the souldiours were committed to prison during the regent's will. Nyne or ten of the souldiours were hanged.

CASSILS, EGLINTON, AND BOYD, GIVE PLEDGES TO THE REGENT.

After this, the regent went to Kyle and Carict, to persue the Erle of Cassils, who greevouslie vexed suche as acknowledged the

king's authoritie. But he, fearing the wasting of his lands, gave his brother in pledge to enter the 15th day of May at Stirline, to confirme the conditiouns craved and agreed upon. Hugh Montgomerie, Erle of Eglinton, and Robert Lord Boyd, did the like.

GRANGE WAGETH SOULDIOURS AND FURNISHETH THE CASTELL.

Whill the regent was in the west, and Morton in England, the captan of the castell, by perswasioun of Lethington, was waging souldiours privatlie, speciallie the poorer sort of craftsmen in Edinburgh. The regent charged, by open proclamatioun in the king's name, that all captans and souldiours waged by Sir William Kirkaldie sould desert him within three dayes after the proclamatioun, under the paine of rebellioun. This charge was published the 19th of Marche. The captan caused beate a drumme, and warne all that would receave pay under the charge of Captan Melvill, to come to the Castell Hill the day following, to receave their wages; whereby he uttered manifestlie that treacherie which before he ever covered with some colour. This Melvill was servant to Lethington, and had been a captan in the first regent's time. The captan and his complices in the castell seaze upon the most commodious parts in the toun, reave victualls brought in to Leith from merchants, and provide all necessar furniture for the castell to endure a long siege, till supplee were sent from forrane nations. He made a rowstie ryme, which went from hand to hand, wherin he reproached bitterlie the lords mainteaners of the king's authoritie, and aggredged the injureis alledged done to the queen.

THE TWENTIE-SECUND GENERALL ASSEMBLIE.

The Generall Assemblie conveened at Edinburgh in the Neather Counsel-hous the fyft day of Marche. Mr George Hay was chosin Moderator. The regent craved the Assemblie to be translated from Edinburgh to Stirline or Glasgow; but it could not be granted for sundrie impedimonts.

PENITENTS ORDERED.

The adulterers, incestuous persons, murtherers, and other haynous offenders, requesting to be receaved to publict repentance, were ordeanned to repaire toward their owne ministers, there to receave their injunctiouns till the nixt synodall conventioun of the superintendents and commissioners of their owne provinces respective; there to present themselves in linnen clothes, bare-headed and bare-footed, humblie requesting the conventioun to receave them to the societie of the faithfull, with farther injunctiouns; and to bring testimonialls from their ministers, of their behaviour in the meane time. Others compeering in linnen clothes, and submitting themselves to farther injunctions, the Assemblie ordeaneth them to be receaved in their owne kirk, conforme to the acts made before.

ACTS.

Forasmuche as it hath beene ordeaned by the Generall Assembleis, that all adulterers, murtherers, incestuous persons, and others committers of haynous crimes, sould first present themselves to the Generall Assemblie, there to receave their first injunctiouns; and at the nixt therafter following to present themselves in linnen clothes, &c. And forasmuche as diverse of the said offenders partlie are farre distant from the places of Generall Assembleis, others for povertie and deidlie feeds may not, nor dare not, travell through the countrie, to present themselves before the said Assembleis,[1] &c. For these causes, and other considerations moving this

[1] Besides personal and family feuds, which, even in the quietest periods, were sufficiently abundant in Scotland, the country was so rent by the rival factions that the shortest journey was dangerous. "The haill realme of Scotland (says the author of the 'Historie of James the Sext') was sa devydit in factions, that it was hard for any peaceable man, as he rayd out the hie way, to profes himself oppinlie, ather to be a favorer of the king or queyne. All the people were cassin sa lowse, and war becum of sik dissolut myndis and actions, that nayne was in accompt bot he that could ather kill or reve his nychtbour."

present Assemblie, it is ordeaned, that all suche offenders sall be called heerafter by the superintendents and commissioners of provinces, to compeere before them in their synodall conventions,—which are to be holdin twise in the yeere, there to be receaved, and to tak their injunctiouns, conforme to the order used before by the Generall Assembleis in all sorts.

2. It was ordeanned, that all superintendents and commissioners to plant kirks sall present heerafter their books of visitations of their owne provinces respective, to be revised and considered by suche brethrein as sall be appointed thereto from Assemblie to Assemblie, to the effect the Assemblie may understand their diligence in executing of their offices within their provinces. Some were appointed presentlie to revise the commissioners' diligence in their visitatiouns.

3. Forasmuche as trouble and slaunder hath rissen for solemnizatioun of mariage in privat houses, and that by ministers to whose parishes or kirks the controveeners perteaned not, where-through there hath beene controversie in particular kirk-sessiouns, for satisfactioun to be made for transgressing the publict order of the kirk, &c., the Assemblie statuteth and ordeaneth, that all mariages be solemnized in the face of a congregatioun, according to the publict order established; and also inhibiteth all ministers and exhorters, that none of them solemnize mariages of anie persons, other than within their owne congregatiouns, without sufficient testimonialls from their ministers, or licence asked and obteaned, under the paines before established against the ministers and controveeners, with their parents to make publict repentance, &c., at the discretioun of their owne kirks.

4. It is ordeaned, that all ministers inhibit all civill magistrats to hold their courts within kirks, and if need be, to admonishe, &c.

5. That all superintendents and commissioners to plant kirks, heerafter, with advice of their ministers in their synodall conventiouns, reasoun upon the necessitie of publict fasts, and appoint publict fasting, if it sall be thought necessar; and als, that they

appoint certane brethrein to travell for unitie and concord among the nobilitie of the realme.

6. That persons excommunicated for not adhering to the established religioun, or not thereto joyned of before, yitt presentlie of their owne accord submitting themselves, and requiring to be receaved in the societie of the faithfull, be receaved by their minister in low and humble habite, observing the order prescrived in the booke of excommunication, and all other points.

7. An act for deciding of questions. (*Vide* p. 41.)

QUESTIONS DECIDED.

The brethrein appointed for decisioun of questiouns produced their decisions as followeth :—

1. It were good that superintendents tak up particular delations in cheefe and metropolitane kirks, where executioun of discipline is, and weeklie assembleis of ministers, elders, and deacons, observed for the same caus ; that he doe it with advice of some elders, for avoiding all corruptioun and partialitie.

2. Where ministers are not in use of excommunicatioun, or the executioun of it would be contemned, that the superintendent, or some other sufficientlie qualified and authorized, execute the same.

3. Whether a superintendent may absolutlie depose and admitt ministers, without advice and consent of the cheefest ministers, and of his seate in speciall? We referre to the ordinance made before.

4. If anie person or persons in a reformed parish or citie, where order and discipline is observed, may be compelled to answere before their superintendent *in prima instantia*, or yitt before the Generall Assemblie ; the mater not being tried nather before their owne particular Assemblie, their immediat judge, nor before the superintendent? It was answered, that the order of the Booke of Discipline be observed heerin, wherunto the superintendents are subject.

5. A minister may proceed against magistrats who will not putt n executioun the acts of parliament concerning discipline, and other acts agreed upon by their own particular congregations, to the sentence of excommunicatioun, due admonitioun preceeding.

6. Promise of mariage *per verba de futuro* sall be made according to the order of the reformed kirk, to the minister, exhorter, or reader, taking cautioun for abstinence till the mariage be solemnized.

7. If a man ravishe a woman against her owne and her parents' will, and strike her parents under silence of night, and the magistrat will not correct, the kirk may proceed with admonitions to excommunicatioun, for satisfactioun.

8. These that will not enter in the ministrie according to the order sett doun by the kirk, lett them not be admitted.

9. If a woman committ fornicatioun with a man, and suffer him after to marie her owne sister, and would not reveele the impediment when the bannes were proclamed, both he and she are to be punished according to the discipline of the kirk, but cheefelie the man; and the other cannot be his wife.

10. Suche as impugne proclamatioun of bannes cheeflie by infamie, and prove not, lett them be punished according to the discipline of the kirk, as infamators.

11. It is unlawfull to a minister to receave a benefice by presentatioun, under pactioun with the patron; to witt, that the patron sall have the greater part, and the minister a small portioun.

12. That superintendents tak order, that parishes be not destituted of preaching, where their ministers are sent in commissioun to the Generall Assemblie, or for other needfull effaires, or chance to fall in sicknesse; cheefelie, if they be within burrowes or touns.

13. A man deflowring a virgin hath libertie, notwithstanding, to marie another.

14. Suche persons as have been admitted to the ministrie, and have ceassed therefra for a long time, sall be admonished; and if they refuse to heare admonitioun, sall be debarred from the sacraments ill they satisfie the kirk.

15. A man excommunicated for adulterie, and afterward ab-

solved, may not after marie the woman whom, before, he polluted with adulterie.

16. If a laick patron present a man that can onlie read, and not preache, he sall not be admitted to the personage.

17. Whether the kirk, *jure devoluto*, may give a benefice which is dispouned by a laick patron to an unqualified person, or if the superintendent or commissioner to plant kirks may doe the same without the Generall Assemblie, is refered to an act of parliament.

COMMISSION TO PRESENT ARTICLES TO MY LORD REGENT'S GRACE.

Tuiching the jurisdictioun ecclesiasticall, the Assemblie appointed the Superintendents of Angus and Fife, Mr Knox, Mr Robert Pont, Mr Johne Row, to penne the heeds and points in all sorts perteaning to the ecclesiasticall jurisdictioun, and to present the same to the Assemblie, to be considered, that therafter they may be sent to the lord regent's Grace; with instructions to be givin to the commissioners that sall be appointed. The tenor of the commissioun, articles, and instructiouns, followeth:—

The brethrein presentlie assembled, in one voice and minde give their full commissioun and power to the honorable, and their loving brethrein, Johne Areskine of Dun, Knight, Superintendent of Angus and Mernes, Mr Johne Winerame, Superintendent of Fife, Mr Johne Spotswod, Superintendent of Lothiane, Mr George Hay, Commissioner of Aberdeene, Mr Andrew Hay, Commissioner of Cliddisdaill, Mr David Lindsay, Commissioner of Kyle, Carict, and Cunninghame, Mr Johne Row, Commissioner of Galloway, Johne Duncansone, Minister to the king's Majestie's houshold, Mr William Lundie of that Ilk, James Johnston of Elphinston, Alexander Forrester of Carden, Johne Lokhart of Barr, Hugh Wallace of Carnall, Mr Johne Foullerton of Dreghorne, Mr Johne Preston, one of the commissioners for the toun of Edinburgh, or anie tenne of them, to compeere before my lord regent's Grace and counsell in Stirline, the last day of this instant moneth, or anie other place where my lord regent's Grace sall appoint, due advertisement pre-

ceeding: And there, in the kirk's name, most humblie propone, show, and declare articles, heeds, supplicatiouns, and complaints delivered to them by the kirk; most humblie requeisting for answere therunto; confere, reasoun, and conclude, with his Grace and counsell, upon suche heeds and articles as sall be proponed unto them by his Grace and counsell foresaid, according to the Assemblie's instructiouns givin to their said brethrein: assist, concurre, and assent to all and whatsomever other things that sall be treated, tending to the glorie of God, setting fordward the preaching and mainteaning of his true religioun within this countrie, the king's Majestie, and commoun wealth of this realme. And whatsoever happeneth to be done by them in the premisses, to report the same to the nixt Generall Assemblie of the kirk, to beginne in Stirline, the sixt day of August nixt to come, stable and firme; holding, and for to hold, all and whatsomever the saids brethrein, or anie tenne of them, in the premisses conclude to be done. Given in the Generall Assemblie of the kirk, and secund sessioun therof; subscrived by the Clerk of the same, day, yeere, and place foresaid.

Articles perteaning to the jurisdictioun of the kirk, to be proponed to the regent's Grace and Secreit Counsell, and sought to be approved by them:—

First, That the kirk have their judgement of true and false religioun, or doctrine, hereseis and suche like, annexed to the preaching of the Word, and ministration of the sacraments; electioun, examinatioun, and admissioun of them that are admitted to the ministrie, or other functions in the kirk; charge of soules, and ecclesiasticall benefices; suspensioun and deprivatioun of them therefra, for lawfull causes; all things concerning the discipline of the kirk, which standeth in correction of manners, admonitiouns, excommunicatiouns, and receaving to repentance; the judgement of ecclesiasticall maters betweene persons that are of the kirk, and speciallie among these that are constituted of the ministrie, as weill concerning beneficiall causes as others; jurisdictioun to proceed by admonitiouns, to the processe of excommunicatioun, if need require, against these that robbe the patrimonie of the kirk, or other-

wise intromett therewith unjustlie, whereby the ministrie is in danger to decay, through povertie of the ministers. And becaus the conjunctioun of mariages perteaneth to the ministrie, the causes of adherence and divorcement ought also to perteane to them, as naturally annexed thereto.

The injunctiouns givin to their brethrein, the commissioners, sent to my lord regent's Grace and counsell, to be propouned, concluded, and reasouned upon :—

In the First, That his Grace and counsell grant and consent, that no dispositioun of anie benefice, nor presentatioun be made of anie pensioun, without the admissioun and collatioun of the kirk following upon just presentatiouns. And if anie dispositioun of benefices be made to anie persoun or persouns, that the same be discharged and brought backe againe, to the end that suche have no place in times comming.

Item, That some order be takin with some horners, and persons disobedient, that payment may be had of them that disobey.

Item, That his Grace and counsell approve the jurisdictioun of the kirk, conforme to the particular informatioun givin therupon.

Item, That suche horrible crimes be punished, as provoke God's wrathe against the realme, such as idolatrie, incest, adulterie, and other like haynous crimes; and commissioners of justice be appointed in everie province for that effect. And, in like maner, that ye agree, confere, and conclude with his Grace and counsell tuiching my pensioun concerning the king's Majestie's hous, and also concerning the lord regent's Grace his hous, tuiching the pensioun to be appointed thereto. And, finallie, to conferre, reasoun, and conclude with his Grace and counsell foresaid, concerning the appointment made betwixt the kirk and my lord regent's Grace, now resting with God, as sall be thought expedient and agreeable to God's glorie, to the comfort and utilitie of his kirk, the preservatioun of this commoun wealth, and due obedience to the king's Majestie our soverane.

CONDITIOUNS TO BE PROPOUNED TO HIS GRACE.

In the First, That his Grace would be content to tak horners for payment; Secundlie, That he be payed *secundum ratam*, according to the payment of ministers; Thridlie, That he will discharge, in this respect, the superplus, if anie were, to be employed *in pios usus*.

Item, To give answere to my lord regent's Grace, to Mackquhyn and his companiouns; and als for preservatioun and upholding of the kirk of Glasgow, and upholding the leid therof.

Item, To remember Mr Robert Hammilton, minister of Sanct Andrewes, for payment of his stipend.

AN ACT FOR DECIDING OF QUESTIONS.

Becaus the Assemblie is yeerlie troubled with the solution of questiouns, of which some are unprofitable, others may be easilie solved by superintendents and commissioners to plant kirks, with the assistance of their ministers in their synodall conventiouns, which are to be holdin twise everie yeere; the Assemblie statuteth and ordeaneth, that all questions heerafter be propouned and presented to the superintendents and commissioners in their synodall conventiouns, there to receave their solutiouns. And if anie questioun happen to be hard for them that sall happen to be at the said conventiouns, then and in that cace, that the superintendents or commissioners of kirks present the said hard questiouns to the Generall Assemblie, there to receave their solutiouns in the owne time, according to order; with certificatioun, that no questiouns heerafter sall be receaved in Generall Assembleis from particular ministers. That the same order be observed for complaints of all sorts.

A COUNTERFOOT SKIRMISH.

Upon the secund day of the Assemblie, there was a foolish skirmish devised in the castell. The one part of the captan's souldiours tooke upon them to skirmishe, in maner of an assault to the

castell; the other part of the captan's gentlemen took upon them the defence and keeping of the castell. The skirmishe continued from eight houres at night till nyne. It was demanded from the castell, who these were that troubled the captan, under silence of night? It was answered by the other partie below, that they were the Queen of England's armie. There beganne brawling and flytting; and these in the castell answered, "Away, lubbard! away, blew-coat! I defy thee, white-coat![1] Dirt in your teeth! Hence, knaves, and goe tell that whoore, your mastresse, yee sall not come heere. We lett you know, we have men, meat, and ordinance for seven yeeres."[2] About the end of the skirmishe, three cannons were discharged, and the counterfoot assaulters tooke the flight. Mr Knox, sitting with two brethrein, said, "I could expone, if I might speeke, the mysterie of thir shotts; yitt this muche I say, '*Ante ruinam præit fastus*,' as sayeth Salomon: before destructioun goeth pride. I saw als great bravaders in the castell of St Andrewes; and yitt, within few dayes were they brought low."

[1] The uniform of the English troops of the present age consisted sometimes of blue and sometimes of white coats. The latter colour distinguished the vanguard of the army, the rest were dressed in white, and all wore the St George red cross. See *Grose's Military Antiquities*, vol. i. p. 324.

[2] Kirkaldy's preparations in the castle of Edinburgh, for a siege, were upon so great a scale, that it was declared, the like had never been seen in Scotland before. Upon these he naturally valued himself so much, that he boasts of the completeness of his resources, in the "rowstie ryme" alluded to in page 33,

"For I have men and meit aneugh,
They know I am ane tuilzeour teoch,
And wilbe rycht sore greved;
When thei have tint als mony teith
As they did at the seige of Leith,
They wilbe faine to leive it.
Then quha, I pray you, sall be boun,
Thar tursall to advance,
Or gif sic compositione
As thei gat then of France?

Thus sylit begylit,
They will bot get the glaikis;
Come thai heir, thir tuo yeir,
They sall not misse thair paiks."

A LIBELL AGAINST MR KNOX.

Upon the thrid day of the Assemblie, there was a libell writtin with a counterfoot hand, which fell from the upper hous, where the lords were sitting, into the Assemblie hous. Mr Knox being traduced therin, would have made answere for himself. But some brethrein thoght it not expedient, but rather suffered time to worke, that the compleaners might open further of their mindes. The night following, the same libell, with some additioun, was affixed upon the doore of the Assemblie hous, the tenor wherof, together with Mr Knox his marginall observatiouns, followeth :[1]

"Unto you, right honourable superintendents, ministers, and kirk of God presentlie assembled within this burgh for reformatioun, humblie meanes and compleanes your fellow members of Jesus Christ professing the same religioun with you,[2] upon Johne Knox, minister of this burgh: That where, upon Sunday last bypast, and diverse other times of before, the said Johne, contrare to his professioun, openlie in the kirk of Edinburgh, most seditiouslie[3] detracted, railed, and inveyghed against our soveran ladie,[4] the nobilitie, and other subjects of this realme professing her Grace's obedience; naming her an idolatresse, a murtherer, and an adultresse, and her subjects mainteaners of adulterie and idolatrie; with manie other injurious and slaunderous words,[5] as is notourelie knowne to this whole burgh. Attour, whereas, of duetie,[6] he sould not onlie have openlie, in his commoun prayer, prayed for her, but exhorted the whole kirk to pray for her weelfare, repentance, and conversioun to God, not onlie doeth he omitt the same, but, contrariwise, useth all maner of imprecatiouns and execratiouns against

[1] These marginal observations we have transferred to the foot of the page.

[2] They were not Gentiles that accused poor Jeremie.

[3] Falslie libelled.

[4] No soveran ladie is she to me, nor yit to this realme, and so yee are tratours.

[5] I grant the accusation, but railling I denie.

[6] I deny duetie in that part.

her,[1] and otherwise speaketh of her as she were a reprobat, saying, she repenteth not, nor cannot repent,[2] becaus she desireth most reasonablie to be restored to her owne realme and authoritie justlie apperteaning to her, both by God's right and man's, and wherefra she was unnaturallie dejected, and is wrongouslie debarred; thus entering in God's secreit counsell, as thogh he were privie therof, and called thereto. In which doing, he worketh so farre as lyeth in him by suche presumptiouns and malapert arragancie,[3] to mak the religioun of Jesus Christ to be evill spokin off, and the whole ministrie to be hated and abhorred; and by intermedling of civill and profane maters with the Word of God, divideth the church in contrarious factiouns, wherupon may ensue great hurt and perell, not onlie to the kirk, but also to the commoun wealth. Heerfore, we beseeche your wisdomes, as you that are appointed to watche above his church, to putt order to the said Johne, in executioun of his office, and that he desist from suche intolerable and enorme railing upon our soverane ladie,[4] and intermedling suche profane causes with the Word of God, farre above his commissioun; otherwise yee will be thought, in times comming, partakers of his schisme, and charged therewith. As opportunitie will serve, unlesse yee putt remeed heerto, the ingivers heerof will seeke the samine with greater unquietnesse."[5]

LIBERTIE GRANTED TO ACCUSE MR KNOX.

This libell comming to the knowledge of sindrie, the Assemblie directed some brethrein and some ministers, with both the libells,

[1] What I have used, man hath not stopped, nor sall not stop.

[2] Thow art an impudent leer. I said and say, that pride and repentance abide not in one heart.

[3] I know you for no judge, and therefore I appeale to God's mercie, and to the right judgement of the kirk.

[4] Railing I denie, your soveran ladie I know not: my commission man can not limitat.

[5] God's good will be done, and to that just Judge I appeale.

to the Lords of Sessioun, who were in the hous above, to enquire if they knew anie thing of this libell. They denied altogether. The advocats likewise denied ather knowledge or consent. Then the Assemblie ordeaned this warning to be made and published, which followeth :—" Becaus some writtings are cast by some persouns slandering Mr Knox, and the ingivers are unknowne, the Assemblie desireth anie persoun or persouns that will persue and stand to the same, to compeere and persue, promising to minister justice accordinglie."

ANOTHER LIBELL AGAINST MR KNOX.

No man was found, notwithstanding of libertie granted, to accuse; but the thrid libell was affixed upon the kirk-doore, the tenour wherof followeth :—

" To the Right Honourable Superintendents, Ministers, and Kirk of God, presentlie assembled for reformatioun.

" Forasmeekle as upon the supplicatiouns givin to you of before, yee caused openlie proclame at the counsel-hous doore, if anie man would compeere to persue the same, saying that Knox was readie to answere thereto: If the supplicatiouns be reasonable, and founded upon a good caus and complaint worthie to be regarded, (as they are most reasonable,) then are they sufficient without farther persute, to admonish you, men of judgement, of your duetie, and move you to provide, that no slaunder be givin by the minister that occupyeth the cheef chaire of this realme. The ingivers of the supplicatiouns looke, that the same be als weill an admonitioun to the criminall as unto your wisdomes. Yitt if he, upon his corrupt sense and perverse affectioun, persist in his arrogant malice, he sall not want one or moe accusators at the nixt Assemblie, provyding he be then law-byding, and not fugitive, according to his accustomed maner."

RICHARD BANNATYNE HIS SPEECHE IN THE ASSEMBLIE, FOR HIS MASTER JOHNE KNOX.

This libell being affixed upon the kirk doore, and sindrie other places, was brought by the bell-man to Mr Knox the tenth day of Marche, as he was putting on his clothes. After he had read it, he send it with his servant, Richard Bannatyne, to the Assemblie. After it was read in the Assemblie, the said Richard craved to be heard; which being granted, he said, "It hath pleased God to make me a servant to that man of God, Johne Knox, whom I serve, as God beareth me witnesse, not so muche for anie worldlie commoditie, as for that integritie and uprightnesse which I have ever knowne, and presentlie understand to be in him, speciallie in the faithfull administratioun of his office in teaching the Word. And if I knew he were a false teacher, a seducer and raiser of schismes, or one that maketh divisioun in the Kirk of God, as he is reported to be by the former accusatiouns, I would not serve him for all the substance in Edinburgh. Therefore, I desire your wisdoms to make it manifest and knowne by some publict edict, that yee approve his doctrine; consent and agree with him; that yee are of one minde and judgement with him, and that yee sing all one song; that thereby the rest of the ministrie bearing part of the burthein with him, which, in my judgement, now lyeth onlie on his backe, the enemeis have not occasioun to say, 'It is onlie Johne Knox that speeketh against the queen,'" &c. They all answered they would beare their part of the same burthein with him. He craved an act therupon, but it was refused. Johne Gray, scribe to the Assemblie, was the first who refused. One asked if his maister commanded him to crave anie suche thing. He answered, What he had spokin, he had spokin it without his master's knowledge, onlie moved by scandalous reports, and, therefore, could doe no lesse in conscience, than seeke remedie so farre as in them lay; which could by no meanes be better provided, in his judgement, than to mak it knowne by publict edict or otherwise, that they approved what Johne Knox

spake; least the enemeis alledge, in cace they be silent, they have als manie ministers on their side as the king hath on his. The clerk refused to give an act. He required Mr George Mackesone to be witnesse to the premisses, and to mak an act under his handwritt of the former words; which he did.

MR KNOX HIS APOLOGIE IN PULPIT.

The Generall Assemblie being dissolved the same day, some of the brethrein, having a good meaning, travelled with Mr Knox to passe over with silence suche accusatiouns. He answered, "The Assemblie may forbid me to preache; but, when I am in the pulpit, cannot stoppe my tongue. Therefore, ather lett me be discharged, or ellis lett you and the adversareis both looke for an answere." So, upon the nixt day, which was the Lord's day, the sermoun being ended, he answered to all the libells as followeth:

"Albeit it is most dolorous to my heart to mak an apologie against suche as call themselves fellow members of Jesus Christ, and men professing the same religioun with us, yitt, becaus it is no new thing that God's servants have beene accused by suche as have beene esteemed cheefe pillers in the kirk, it becometh me to take my lott in good part; for Jeremie was not accused by the Gentiles, but his accusators were Jewes, borne and circumcised according to the law, and all externallie professing and avowing the testament made with Abraham. Paul was in manie dangers; and among the rest, he recounteth his perrells among his false brethrein. Yee heare how greevouslie I am accused. I will not say that Tertullus accuseth Paul: but we know that once he accused him, as we may read in the Acts of the Apostles. If this accusatioun be weill weyghed, I doubt not but yee sall perceave the same to be the dytement and stile of a flattering orator, travelling to cloke impietie, and to deface the just reprehensioun of God's Spirit.[1] That I have called her an obstinat idolatresse, one that consented to the murther of her owne husband, and one that hath committed whoor-

[1] Wedderburne. *Note in the MS.*

dome and villanous adulterie, I willinglie grant, and never minde to deny. But railing and seditioun they are never able to prove in me, till that first they compell Isay, Jeremie, and Ezechiel, St Paul, and others, to recant, of whome I have learned plainlie and boldlie to call wickednesse by their owne termes; a feg, a feg, and a spaid, a spaid. I feare that threatning pronounced by Isay, in these words, 'Woe to them that call light darkenesse, and darkenesse light; good evill, and evill good.' If she be innocent of anie of the crimes layed to her charge by me, then may I be accused as a railer. But if their owne consciences beare witnesse to them, that she is guiltie in all the forenamed, and in everie one of them, and manie moe, lett them studie how they sall be absolved before God, who threatneth to cast Jesabell in a bed, and these that committ fornicatioun with her in great afflictioun, except they repent. How manie flattered her when she raged in her iniquitie under the cloke of authoritie, some within this realme, and within this same citie, understand. But how that God, the just Judge, hath overthrowne her pride, and disappointed their flattering promises, the whole world can witnesse. And yitt they will not ceasse, but still they will mainteane her, as if she were an innocent, and unjustlie handled by her subjects. Lett her and her mainteaners compleane upon God, who made her cheefe flatterers her cheefe enemeis. What she sall be to them, or they to her, lett time declare. I speeke of times certan and bypast.

"Now to the rest of the accusatioun: I pray not for her. I answere, I am not bound to pray for her in this place, for soverane to me she is not. And I lett them to understand, that I am not a man of law, that hath my tongue to sell for silver, or favour of the world. But to reasoun with them on prayer, who never understood what prayer was, were but lost labour. I prayed till I was forbiddin. But this maner of speeking the world understandeth not. They terme her their soveran; others, the nobilitie and subjects professing her obedience. In this they confesse themselves tratours; and so, I am not bound to answere them nor their accusatioun, till they give answere to my peremptore.

"As to the imprecatiouns made against her, wherof I am accused, I have willinglie confessed that I have desired, and in my heart desire, that God of his mercie, for the comfort of his poore flocke within this realme, will oppone his power to her pride, and confound her, her flatterers, and assisters in her impietie. I praise my God, he of his mercie hath not disappointed me of my just prayer, lett them call it imprecatioun or execratioun as pleaseth them. It hath ofter than once stricken, and sall strike, in despite of man, mainteane and defend her whoso list. I am farther accused, that I speeke of their soverane (myne is she not) as that she were a reprobat; and that I affirme she cannot repent, &c.: whereto I answere, that the accuser is a calumniator, and a manifest leer, for he is never able to prove, that at anie time I have said that she cannot repent. But I have said, and yitt say, that pride and repentance abide not in one heart of anie long continuance together. What title she hath, or ever had, to this realme and the authoritie therof, I list not to enter in contentioun: how she was dejected from it, lett the estats answere: for me they cannot accuse, unlesse they lee. For, hitherto I have lived as a subject, and obeyed as a subject, to all lawfull ordinance of God within this realme.

"Yitt resteth one thing which is most bitter to me, and most fearefull, if my accusators were able to prove their accusatioun; to witt, that I proudlie and arrogantlie enter in God's secreit counsell, as if I were called thereto. God be mercifull to my accusators for their rash and ungodlie judgement! If they understood how feare-full my conscience is, and ever hath beene, to exceed the bounds of my vocatioun, they would not have so boldlie accused me. I am not ignorant, that the secreets of God apperteane to himself alone; but things reveeled in his law perteane to us, and to our childrein for ever. What I have spokin against the adulterie, against the murther, against the pride, and against the idolatrie of that wicked woman, I spake not as one that entered in God's secreit counsell; but being one of God's great mercie called to preache, according to his blessed will reveeled in his most holie Word, have ofter than once pronounced the threatnings of his law against suche as have

beene of counsell, of knowledge, of assistance, or consent, that innocent blood sould be shed. And the same thing I have pronounced against all and sindrie that goe about to mainteane that wicked woman, and the band of these murtherers; that they suffer not death according to his Word, that the plague may be takin from this realme; which shall never be, so long as she and they remaine unpunished, according to the sentence of God's law. Where I am accused, that by intromedling civill and profane things with the Word of God, I divide the kirk in contrarie factiouns; I make the religion of Jesus Christ to be evill spokin of, and the whole ministrie to be hated and abhorred, &c.: I answere, that when they sall teache me by God's writtin truthe, that the reproofe of vice is a civill and profane thing, that it apperteaneth not to the ministrie, I sall doe as God's Word commandeth me. But till that time, which will not be till the morne after Doomesday, and not then, I must hold that sentence pronounced, and power givin by God to his prophets Jeremie and Ezechiel to stand for a perpetuall law and rule to all true ministers, which, with God's assistance, I purpose to follow to my live's end. Where they threaten to putt order to me with greater unquietnesse, unless I ceasse from railing on their soverane, I answere as before. Railing I deny, their soverane I know not: lett God's will be done in me. I have layed my compt. Manie things I know I have omitted, but in that I find no great fault with my memorie. Let them reply, if ather they can or darre, and I sall answere as it sall please God to assist me.

"This muche being answered to both their first accusations, in few words I answere to the thrid, wherin my accusators alledge that their complaint is sufficient that the Assemblie accuse me for discharge of their owne duetie, &c.: Wherto I answere, that my accusators would have the Assemblie of Christian ministers more brutish and more barbarous than an ethnick judge was in a more notorious accusatioun. For, the princes of the preests comming to Festus the deputie, desired sentence against Paul; to whom he answered, that it was not the consuetude of the Romans to decerne against anie man before he were accused, and his accusators present

before him, and he had place to purge himself of things objected against him. Now, if my accusators would that a Christian assemblie sould condemne me at their requeist, and, upon their accusatioun, they make it inferiour to this ethnick judge. But they have promised to accuse me face to face at the nixt Generall Assemblie, if I be found law-byding. I praise God they have nothing presentlie to accuse me when the time is als favourable as ever they will find it, if Christ Jesus have place within this realme. But, becaus they know that their persute is unjust, they flee to the last refuge of all walterers[1] of commoun wealths; *Tempora mutantur.* Whether I sall be law-byding or not at that time, I know not, for my dayes and wayes are in the hands of him on whom I depend, who hath guided me through many troubles, and hath yitt preserved me to this decrepit age, which now is not apt to flee farre. Moreover, I thinke that no man is able to convict me to have beene a fugitive from the flocke whereto I was bound, without their owne commandement."

ANOTHER LIBELL.

The fourth libell was affixed before the nixt Lord's Day, the tenor wherof followeth, beginning with a great *Nota*, thus:—

"NOTA.

"If the booke entituled, The Blast of the Trumpet, sett furth by Johne Knox against the regiment of wemen, be grounded upon a schisme and false doctrine, as without doubt it is, why then may he not be judged truelie a seditious man, and a false doctor, that sett furth the same so arrogantlie? And if it be grounded upon an infallible truthe, why then doeth he avow and approve the contrare, I meane that regiment in the Queene of England's persoun, which he avoweth and approveth; not onlie praying for the maintenance of her estat, as he hath done diverse times openlie in pulpit, but

[1] Subverters.

also in suting and procuring by himself, and by others whom he allured by all meanes possible, her aide and support against his owne native countrie and libertie therof? It is evident, that ather his doctrine is false, or ellis that he worketh against the manifest truthe."

The nixt Lord's day, the sermoun being ended, Mr Knox required a little audience, "Because," said he, "I am accused as a schismatick and a false doctor."

After he had read the libell, he said, "God be mercifull to my accusators; and give them grace cleerelie to see, and perfytlie to understand, the doctrine which, by me, God hath pronounced, ever since it pleased him, of his mercie, to illuminate the eyes of my minde with the brightnesse of his Word. God grant me patience, that, without bitternesse I may beare the opprobrie of the croce of Jesus Christ, wherin, I praise my God, I am so assisted by his Holy Spirit, that if I had not greater respect to you, who now, of long time, have beene my auditors, than I have, or ever had to myself, I sould never open my mouth in my owne defence. But becaus I am not ignorant, that Satan, through his malice, seeketh to deface the truthe of God in my weake persoun, I cannot passe by suche accusations with silence. The dytement seemeth to smell of some craftie lawlesse man of lawe's braine.[1] And yitt, if I list to handle him as his follie deserveth, I might easilie lett him see that, in accusing the author of that tractat, he hath nather looked to God, nature, nor to just law. His dilemme beginneth with a conditionall saying, 'If the booke intituled,' etc. I will onlie answer hic *If* with another If, and say, If it be grounded upon good reasoun, upon God's plaine truthe, and upon most plaine and just law, then hath the accusator nather God before his eyes, knowledge of just lawes, nor reverence to nature. So lett one If answere another, till farther probatioun be produced. He boldlie affirmeth that 'That booke is grounded upon schisme,' etc.; whereto I answere, that the affirmative of a leer may not be a sufficient prooffe against me,

[1] He meaneth apparentlie of Sir James Balfour, at that time President.—*Note in the Original.*

principallie, in his owne caus. A good and wise dialectitian would have laboured to lay doun some prooffe, before he had rashlie pronounced. So, because the former part of his delemme hath no greater strenth than his owne affirmation, I say, it is brokin, and he is a manifest leer. If ever I intreated that argument in publict or in privat, since my last arrivall in Scotland, the argument may have some probabilitie. But seing therof I cannot be convicted, a schismatick I cannot be provin.

"The craftie accusator thinketh, I cannot avoide the other horne of his argument; that no force of reason is able to breake it. Yitt my good hope is, that the hammer of God's truthe sall prove it to be more fragile and weake than ever glasse was. He affirmeth that I approve the contrare, to witt, the same regiment in the persoun of the Queene of England. The probation is, I pray for the maintenance of her estat, and procure her aide and helpe against my native countrie. But neither of these reasouns fight against me; for nather doth the prayer of God's servants for the maintenance of commoun wealths where the people of God remaine, prove that God's servants allow all things done in suche commoun wealths, nather yitt doth the seeking of helpe even from the wicked prove that the godlie justifie the wicked. That these my assertions may be understood to be most true and sure, I will not alledge the testimoneis of profane writters, but content myself with the mouth of God, and with the facts of them who, in their cheefe actiouns, were ruled by the Spirit of God. For exemple, I bring the prophets of God, that served in Israel from the dayes of Jeroboam the sonne of Nebat, till the destructioun of that kingdome. Some of these prophets comforted the kings, although they were wicked; some forewarned them of dangers; some gave them charge to fight, with promise of victorie. But did anie of these acts prove that the prophets did allow or approve that kingdom of idolatrie, and their unnaturall defectioun from the hous of David? Jeremie prayed, and commanded the Jews to pray, for the prosperitie and health of Nebuchadnezar. Did he therefore justifie his crueltie against Jerusalem? I am assured he did not, as his owne prophe-

cie beareth plaine witnesse. So, my praying for the Queene of England cannot prove that I doe anie thing contrare to the truthe conteaned in that booke. The like I answere to the secund member of his probatioun, to witt, that I seeke and procure her aide, and therefore doe justifie her authoritie. If he were able to prove his assertion, to witt, that I seeke and procure her aide, yitt is he never able to prove, that ather my doctrine is false, or that I worke against the manifest truthe, *Quia omnia munda mundis.* David, persued by Saul, sought support and refuge of Achis, king of Gath. Did he therefore approve and justifie the enormiteis practised in Palestina? My accusator may consider how easie it is, the simple truthe to breake the strenth of his lees, how artificiallie soever they be composed. But one thing in the end I may not pretermitt; that is, to give him a lee in his throat, that ather darre or will say, that ever I sought support against my native countrie. What I have beene to my countrie, albeit this unthankful age will not know, yitt the ages to come will be compelled to beare witnesse to the truthe. And thus I ceasse, requiring of all men that have anie thing to oppone against me, that he will doe it so plainlie, as that I may make myself and all my doings manifest to the world. For to me it seemeth a thing unreasonable, that in this my decrepit age, I sall be compelled to fight against shadows and howllets that darre not abide the light."

THE WINNING OF THE CASTELL OF DUMBARTANE.

The castell of Dumbartane was taken the 2d day of Aprile, in the morning, about breake of day. The maner was this:—One of the watchmen, malcontent that his wife, who repaired to him, was ignominiously scourged for alledged thift, at the directioun of the Lord Fleeming, the captan of the castell, he went out of his owne free accord, or, as others report, was putt furth. He addresseth himself to Robert Dowglas, the regent's kinsman, and offered to wonne the castell, if the regent would appoint a sufficient companie to follow him as guide. Johne Cuninghame, Laird of Drumquhas-

sill, was appointed to trie him farther. He discovered to him the whole maner, and offered to expose himself first to perell. It was concluded that an assault sould be made.

Some few dayes were spent in preparation of ledders, and all other instruments necessarie for the purpose. The abstinence was to expire the first of May; therefore it was chosin as the fittest time for executioun. The Lord Fleeming had defended it foure yeeres bygane, with the assistance of the King of France. He vaunted, that he had in his hands, as it were, the fetters of Scotland; and whensoever the Frenche king had leasure and rest from other warres, if some small forces were granted to him, he would bring all the countrie under their subjection. The Frenche king fed his humour, and sent Monsieur Virack, with some artillerie and munitioun, and commanded him to stay there, and to observe how Scottish affaires went. He was emboldenned likewise by the defection of the captan of the castell of Edinburgh, and the hurt the regent had gottin by the fall off a horse, and the gutt in his feete. The abstinence made him secure. Manie of the watchemen were deboshing securelie in the toun of Dumbartane.

The ledders, cords, and crowes of yron, to putt betwixt craigs, to fasten to cords, were provided before by Captan Thomas Crawfurd. Upon the first of Aprile, about the evening, Drumquhassil was sent out of Glasgow with the horsemen, before the drumme was beatten, to make sure all passages betwixt Glasgow and Dumbartane, and to intercept all advertisement of the comming of the foote-men. Then, after the beating of the drumme, Captan Crawfurd followed with the foote-men, till they came to the hill of Dunbucke, where Drumquhassill was, a myle distant from the craig of Dumbartane, about tenne houres at night, or, as the captan himself wrote to Mr Knox,[1] about one after midnight. There, Drumquhassill and the captan reveeled to the companie their interprise, and what hopes they had. They answered they would follow and assist, in God's name and the king's. In the mean time, they prepare their cords, ledders, and other instruments, and putt all in good order,

[1] This letter is contained in 'Bannatyne's Memoriales," p. 196, 4to edition.

so long as the moone gave light. The foot-men went fordward with their ledders to the craig. The horsemen stayed, waiting upon all events. Whill the foot-men came neere the craig, a great light shynned behind them, and a tree bridge, which lay over a water betwixt them and the castell, was brokin. They suspected the bridge had beene brokin purposelie to stoppe their passage, and that the light behind was the light of some beakens descrying their comming. When they sent backe to trie, the light had vanished away. The bridge before them was easilie repaired; yitt were they not free of feare, in regard of the cleerenesse of the night, whereby the watche might easilie perceave them.

The highest part of the craig had no watche, and that part of the wall above, within six score foote. They thought best to assay that part which is the east part, called the Beik. The ledders sett to the craig being too long, and not sure sett, fell with the weight of the climmers; yitt none were hurt. They sett to the ledders again more warilie. Howbeit the ledders were sixtie stepps, yitt were they twentie steppes from an ashe-tree which was above them in the craig. The guide and Captan Crawfurd wanne to the tree without ledders, with great difficultie, taking cords with them, and fastened the cords to the tree. They lett the cords hang doun to the ledders, wherewith men might draw themselves up to the tree. When they were at the tree, they had five score faddoms to the root of the wall, to which they caried cords in like maner. A thicke mist envirouned the craig from the middle upward, that the watche-men could not see what they were doing below. Whill they were climming up to the hight of the craig, one of their number was stricken with apoplexie. He, gripping fast to the ledder, was an impediment to others. They quietlie turne the ledder, and the apoplectick in the meane time never losed his grippe. When they came to the hight of the craig, they had a stone wall to climme. Captan Crawfurd reporteth, that they sett the ledder to the stone wall. Captan Alexander Ramsay was the first that entered upon the wall, and cried, "God and the king! A Darly, a Darly, a Darly!" The watche-men throwed stones at him. He leapeth

doun, and is sett upon by the three souldiours, whom he boore off till others followed him, and then they slue three of the watche. In the meane time that the rest are following, the wall being ruinous, falleth through their weight, and maketh a patent way for them to enter. Captan Crawfurd, in his letter to Mr Knox, writteth that they came to the wall about day-light: that at the entrie of the first man upon the top of the wall, the watche sitting beside cried, and a cloud of mist fell about them: that there came sindrie running naiked, of whom three were slaine, and some others hurt, and the rest retired. So they wanne their artillerie, powder, and bullets. These that keeped watche in the neather castell, that keeped Wallace Towre, the white towre with the windie hall, the chamber betweene the craigs, als soone as they saw their owne artillerie turned against them, everie man tooke him to his shift. The Lord Fleeming fled by a posterne gate; and the sea being full, he gott a boat and escaped to Argile. The mist was so thicke, that some leaped from the wall. Twentie-five of the garisoun that were whooring and drinking in the toun could make no help, but fled. There were takin in the castell Johne Hammiltoun, bastard Bishop of Sanct Andrewes,[1] Johne Fleeming, Laird of Boghall, Alexander Maister of Livingston, Monsieur Virack, the Frenche king's agent, an English gentleman called Johne Hall, the Ladie Fleeming, and a number of souldiours.

The regent came the day following, at ten houres in the morning. He was favourable to the Ladie Fleeming, gave unto her some of her husband's lands which before had beene forfaulted, and suffered her to injoy the silver vessell, houshold stuffe, and all the apparrell that belonged to her. Manie judged that Monsieur Virack sould have suffered an assise, for robbing of merchants in Clyde Firth; yitt the name of an ambassader or agent prevailed with the regent more than needed. He was commanded, notwithstanding, to be keeped, that the robbed might have some hope of restitution, and

[1] This warlike prelate, when he was captured, was girt with his shirt of mail, and had a steel bonnet on his head. Had his military companions been equally alert and prepared, the capture of the castle would have been a hopeless undertaking.

was sent afterward to St Andrewes; Hall, the Englishman, howbeit recommended to the captan of the castell by the Bishop of Rosse, and muche suspected for traffique, was sent home to England. After his departure, it was understood that he was sent by the Duke of Norfolk's factioun to poysoun the young King of Scots. Holinshed recordeth, that he was afterward arraigned and executed for a new intended conspiracie. Boghall was committed to prisoun. The Bishop of Sanct Andrewes was sent to Stirline. Beside powder and artillerie, there was found in the castell twentie tunnes of wyne, twelve chalders of meale, ten bolls of wheat, eight bolls of malt, elleven hogheids of bisket bread, foure puncheouns of bacoun. Drumquhassill being placed captan of the castell, the regent returned to Stirline.

THE BISHOP OF SANCT ANDREWES HANGED.

After the Bishop of Sanct Andrewes was takin, the Hammiltouns rainged abroad to apprehend some man for the bishop's releefe. Claud Hammiltoun, the duke's sonne, took a boy careing the Lord of Marr's clothes to Stirline, and some men of Edinburgh travelling in the countrie, whom they suffered to depart, upon sovertie to enter again at their call. The regent, fearing that the Queen of England her intercessioun would be procured by the Hammiltons, wherin they were indeid labouring, hastened the executioun. There needed not long processe, for it was notoriouslie knowne that he was guiltie of the murther both of the king and of the regent. He had takin upon him to slay the king's father, partlie becaus there was old inimitie betwixt the Hammiltons and the hous of Lennox, and partlie upon hope that the crown might be transferred to the duke's hous.[1] That night the king was murthered,

[1] He was arraigned upon the following charges: 1st, That he had conspired against the king's person, at the murder of the Regent Murray, intending to have surprised the castle of Stirling, and to have occupied it at his pleasure. 2d, That he knew or was participant of the murder of Darnley. 3d, That he knew or was participant of the murder of the Earl of Murray; and, 4th, That he lay in wait at Callender Wood for the purpose of slaying the Earl of Lennox, now regent. He denied the first, se-

he sent out of the duke's loodging seven or eight of the choicest men of his companie, gave them the keyes of the king's loodging, and committed to them the committing of that fact. They entered with great secrecie, surprised him when he was sleeping, wirried him, and caried him furth; and then, after a signe givin, the hous was blowne up with powder. Johne Hammilton, a cheefe actor, was so troubled in conscience, that he could gett no rest night nor day, so that his bodie pynned away. He reveeled his greefe to a Popish preest, the school-master of Pasley, and discoverèd to him the whole maner. The preest did what he could to comfort him; but he, overcome with displeasure, ended his life within few dayes. The preest concealed not the confessioun so close, but the king's freinds gott knowledge of it. The preest was sent for when the bishop was now apprehended, and affirmed all that he had said before. The bishop asked, If he had heard suche a thing by auricular confessioun? the other answered, "Yes." The bishop could make no other defence, but said, "Yee know what punishment abideth those that reveele anie thing uttered to them by auricular confessioun." About fifteene moneths after, the same preest being apprehended the thrid time for saying masse, when he was to be led furth to executioun, confirmed all that he had said before, and made a more ample narratioun; wherupon the Hammiltons' defenders, brawling among themselves, charged eache other with the murther of the king. The bishop was hanged at Stirline the sixt of Aprile.[1]

cond, and last counts, but confessed upon the scaffold to the third, acknowledging that he was privy to the design of Murray's assassination, and had furthered it, of which he now repented.

[1] On the night of the day on which the bishop was executed, the following distich was written on the gibbet:

Cresce diu felix arbor, semperque vireto
Frondibus, ut nobis talia poma feras.

To this mischievous wish the following answer was returned the same evening, inscribed upon the kirk door, and other parts of the town:

Infœlix pereas arbor, si forte virebis,
Imprimis utinam carminis author eas.

THE REBELS CONVEENE AT EDINBURGH.

In the meane time, Mr Knox ceassed not, according to his accustomed maner, publictlie to deplore the murther of the king, "invented," said he, "by the queene, fortified by suche as God made after instruments to confound her, and putt in executioun by Bothwell and others." He ceassed not to pray in publict for the king and his regent, and to exhort the people to stand constantlie to the defence of the present authoritie, notwithstanding of the queen's brags and her lieutenants', who had appointed a conventioun to be holdin the 10th of Aprile, at Edinburgh, to depose the regent. Huntlie came to Edinburgh the 8th of Aprile. The secretarie came to Leith the 10th of Aprile, at night, and was caried up to the castell by six worke men with sting and ling.[1] Hereis, Maxwell, and the Laird of Lochinvar, came to Edinburgh about ten houres at night, the 14th of Aprile, and lighted at the castell gate. About ellevin houres at night, Captan Melvill came to Robert Lickprevick's hous, and sought him, as he had done twise before, and searched the hous for the Cameleon, which the secretare feared he had printed. All Lethington's practises and pageants were livelie expressed in this Cameleon. The printer being warned before, escaped, and caried with him suche things as might breed him harme. Upon Tuisday the 17th of Aprile, Hereis and Lochinvar went home, and Maxwell the day following. Upon the 19th day, about midnight, Captan Melvill went furth, under pretence to see men going with lunts in their hands upon the Croce. But it was to bring in Claud Hammilton, Arthure of Merrington, Robert Hammiltoun of Inchemauchane, and a companie of the strongest cutthroaters of the Hammiltons. The bailliffes, with some of the counsell, asked at the captan if he had receaved Claud Hammiltoun. He denyed. This day Patrik Ogilvie was apprehended by the Castellans, careing letters from Sir James Balfoure to Stirline,

[1] Sting and ling means, carried by poles in litter-fashion.

as was alledged. This night some brethrein watched about Mr Knox his hous for his safetie.

GRANGE'S PROCLAMATIOUN OR PUBLICT CARTELL.

Upon the 13th of Aprile, the captan of the castell caused make this proclamatioun following, at the Mercat Croce of Edinburgh:—

"To all and sindrie noblemen, barons, gentlemen, and other lieges throughout all Scotland, I, Sir William Kirkaldie of Grange, Knight, captan of the castell of Edinburgh, make it manifest and declare, that forsameekle as Mathew Erle of Lennox having unlawfullie intrused himself in the regiment of this realme, hath latelie caused publishe sindrie letters at diverse burrowes of the same, full of calumneis, injureis, and untrue reports against me, by perswasion of certane factious persouns, enemeis to their native countrie, and to all suche as tender the libertie therof, and in effect, commanding and charging, in his pretended maner, all men, and speciallie my freinds, servants, and men of warre whom I have conduced for preservatioun of the said castell, to abandoun and leave me and my service, to the end, as cleerelie may appeare, that he might the more easilie betray and surprise the samine, and thereby to continue in his detestable tyrannie, to the utter subversioun of the lawes, estat, and libertie of this our native countrie: For what crueltie, reafe, heirship, oppressioun, destructioun of policie, he and his factioun have used and done bygane, I leave to be judged by your wisdomes, as a thing most notourlie knowne. And howbeit I am provoked by his said letters, to make plaine demonstratioun of all my proceedings in tyme bypast, and that for defence of my honour, yitt will I differre the same to a time more convenient, at which time I intend, God willing, to doe the same, and nixt, toward the libertie of the realme; yitt I could not omitt, in the meane time, to make some answere to some heeds mentiouned in the said letters. And, namelie, where he alledgeth, that I have devised treasoun, mischeef, and conspiracie against this my lawfull countrie, as letters of myne apprehended in Dumbartane beare, I am

assured, that he nor no others are able to lett see suche letters of myne. For I am content to avow all letters writtin by me, before the whole world, which sall be found honest and profitable for this troubled countrie; and sall be at all times answerable to the lawes, at command of the lawfull magistrat, for anie treasoun that may be layed to my charge, by him, or anie of his adherents; for I have hazard my life for defence of Scotland, when he was against it. And if anie gentleman undefamed, of my qualitie and degree, of his factioun and perteaning to him, will say the contrare heerof but I am a true Scotish man, I will say he speeketh untruelie, and leeth falselie in his throat; and denounce by thir presents to whatsomever persons will take the said querrell in hand, I sall be readie to fight with him on horsebacke or on foote, at time and place to be appointed, according to the lawes of armes. Further accompt of my doings I will not give the said Erle of Lennox, whose usurped regiment I never acknowledged, not yitt intend to doe, but rather opposed my self at the beginning, and ever sensyne, to the samine. And how I have behaved myself in keeping or using of the said castell without violence or injurie, and how uprightlie I have ever meant, and meane anent this realme, and pacificatioun of thir present troubles, I call God to witnesse most earnestlie, and all other good men within Edinburgh, and others within the reeke of this house: Requiring heerefore all good Scotishmen, and these that feare God without hypocrisie, as they tender the weelfare of this their native countrie, to fortifie and assist me to continue in keeping of this said hous, against whatsomever persouns sall happin to invade me, my freinds, partakers, or the said castell, as I sall be readie to mainteane and defend everie one of them incace they be invaded by anie unlawfull meanes, for that caus, or others causes under colour therof: Certifeing all suche as will not concurre with me in the caus and querrell foresaid, that I will be their unfreind at my power, discharging my self to them by thir presents, which I thought good to verifie to all subjects of this realme: Protesting befor God and the world, that I meane nothing, but to be readie to mainteane the true religioun established within this realme, with

the commoun weale and libertie of this my native countrie, without anie kinde of particular of my owne. Proclamed at the Mercat Croce of Edinburgh, 13 *Aprilis*, 1571."

THE ERLE OF MORTON RANDERETH COMPT OF HIS COMMISSION.

The Erle of Morton returned to Scotland the 18th of Aprile, and came to Stirline the 23d of Aprile, which day, Kilwinning and the Laird of Stennoes came to the castell of Edinburgh. The Erle of Morton randered a compt of his commission at Stirline. The summe was this:—

He came to Londoun the 19th of Februar. Seven of the counsell were appointed to heare them. After long reasouning it was required, that they sould rander sufficient reasouns of their proceedings in the yeere bygane. They gave in their answere in writt, wherin was called to remembrance, that the crimes objected against the king's mother were evidentlie proved the last time the Erle of Murrey, sometime regent, was at London. As for her deposition, and translating of the crowne to her sonne, it was provin to be just and agreeable to the ancient custome of our countrie, and the punishment to be lesse than the desert. The natioun of the Scots hath ever beene a free natioun; constitute kings in suche maner, that the soveraintie granted unto them by the voices of the people, might be takin from them by the voices of the same people, incace there was anie just occasioun offered. A footstep heerof doeth yitt remaine in the Iles, in choosing the captan of the tribes.[1] The ceremoneis likewise used at the inauguratioun of kings argue no lesse than a mutuall stipulation betwixt them and the people. Our ancesters have punished manie of their kings, some by depositioun from their authoritie, some by imprisonment and banishement, and some by death. Nather is this proper onlie to the natioun of the

[1] This alludes to the Tanist law of succession, by which the nearest relative of the deceased chief was elected captain of the tribes during the minority of the lineal successor. The practice was imported from Ireland by the Celts, and it continued till a late period in those isles of Scotland which they colonized, and which were least accessable to Saxon and Norman interference.

Scots. When Rome it self was most heavilie oppressed with tyrannie, yitt anie good man advanced to the impyre acknowledged himself to be inferiour to the people, and obnoxious to the lawes. When Trajan delivered his sword to the captan and proveist of the toun of Rome, he said, "Use it for me, or against me, as I deserve." Theodosius, one of the best emperours in the worst time, confessed he was inferiour to the lawes. Christierne, King of Denmarke, and his whole posteritie, was deprived of all title and right to the crowne. The Emperour Charles the Fyft his mother was adjudged to perpetuall prisoun, becaus, after the death of her first husband, she was treating of a matche with a secund husband. If we had used that severitie which our ancesters have used, we had beene free both of danger and calumneis at this time. What doe our adversareis crave? Is it, that the controversie might be decided with equitie? That was never refused. What then seeke they? But that we enarme tyranns guiltie of manifest crimes, enriched with the spoile of the people, embrued with their blood, gaping for the slaughter of good men, with authoritie, and sett them over us to rule. Where ever was there read suche lenitie as hath beene used to the king's mother? None of her ancesters, dejected from the throne for manifest crimes, had power to substitute sonne or kinsman, or to nominat curators to the young successour. She craved by letters, that the nobilitie would disburthein her of that authoritie which she was not able to beare, which was granted. She nominated curators. All was allowed and ratified by the estats in parliament.

If it be objected, that her renunciatioun made in prisoun proceeded of feare, and therefore is of no force, it may be easilie answered, that all title to the crown and authoritie was takin from her, and that her life was in their hands, which was spaired, not through her innocencie, but through their pitie. She renounced nothing, therefore, but an emptie title and stile of a queen, and resigned that authoritie which by force might be takin from her. So, if her patrons would have her restored to her owne place wherin she was before the renunciatioun, they would have her to suf-

fer a new triell of her crimes, or rather, due punishment for her crimes.

Where as they alledge, that the majestie and authoritie of good kings and queens is diminished by this rigorous dealing with her, it may be answered, that rather nothing is more honorable for the societie of good men than to be freed of the contagioun of the evill. The senat of Rome losed nothing of their majestie or authoritie by the punishment of Lentulus, Cethegus, or Catiline. Lucius Junius Brutus judged not his hous to be stained with suppressing of tyranns, but rather a staine of the Roman nobilitie to be washin away with the blood of his owne childrein. Christierne, the Danish king his prisoun, detracted nothing from the commendatioun of the nixt king, Christian.

This answere was read before the commissioners the last of Februar, and caried to the queen. The queen went to Greenwiche the day following. Yitt they understood by some of the commissioners that she had read their answere, but was not for all that fullie perswaded of the equity of their caus; therefore desired that the Scotish commissioners would answere to the secund heed, to witt, how, and upon what honest conditiouns, agreement might be made betwixt the two parteis. It was answered, their commissioun was limited; nather was it permitted to them to consult or reasoun upon anie thing which might be prejudiciall to the king's authoritie, nather would they use that libertie, incace it had beene granted.

The fyft day of Marche they compeered again in court, and were brought to the queen, who objected unto them, pertinacie. And when it was answered, they had made sufficientlie evident the equitie of their caus, she answered, that she was not satisfied with exemples and arguments that they had alledged. They were remitted to conference with the commissioners before appointed. They cleered themselves of pertinacie, offering to follow anie good advice the queen or her counsellers could find out, providing the present state of the realme were not altered, and the king's authoritie no wise impaired.

The nixt day the Scotish commissioners confered with the English commissioners at Greenwiche. The English propouned some overtures for decisioun of the controversie, about the title of the crown betwixt the mother and the sonne. The Scotish commissioners, after some reasouning, desired that the overtures might be sett doun in writt, and space granted to deliberat upon them, which, after the English commissioners had advised with the queene, was granted. When they had examined them, they perceaved them to be dangerous, prejudiciall to the king's authoritie, and to reache beyond their commissioun. The day following, Robert Pitcarne, Abbot of Dumfermline, was sent to court with their answere, which was this, that the mater concerned the whole estats, and was not to be debated by some few. When they sought an answere in writt, it was granted, wherewith he returned the day following, the 9th of Marche, to court, and sought licence to the Scotish commissioners to returne home. About the tenth day after they gott presence of the queene. The English commissioners were then again appointed to confere with them. They continue constant in their former resolutioun, to witt, to agree to no conditioun of pacificatioun which may abridge the king's royall authoritie.

The nixt day following, the 20th of Marche, they were called again to court. The queene declared unto them that she had weyghed and considered their answeres, and understood verie weill they could not conclude in suche a mater, but that it belonged to the whole estats: and seing there was a parliament to be holdin shortlie in Scotland, willed them to adresse themselves to their journey, that they might be at it; and to travell that an equall number might be chosin out of everie factioun, to reasoun upon the present controversie, and promised to send her ambassaders, to travell to the same effect: in the meantime, desired that the abstinence might be renewed, till the mater were brought to some fine; and promised to move the Scotish queen's commissioners to doe the like, if she might. But the Scotish queen's commissioners answered, they could doe nothing without advice of their owne mastresse; but they sould write to her to understand her minde.

Morton and his assisters sought libertie to returne home. They were desired to await patientlie upon an answere from the Scotish queen to the Bishop of Rosse, and others her commissioners. They answered, they had nothing to doe with the Bishop of Rosse: they had discharged their commissioun; and tumults at home, in their owne countrie, required their presence. Yitt nothing availled till the 4th of Aprile. Then, the queene being at Londoun, sent for the Scotish commissioners, shew unto them that she would stay them no longer, seing the Scotish queen had sharpelie rebooked her owne commissioners for treating in her caus after the maner they did; and becaus "her commissioners doe alluterlie reject the middes which I have propouned for reconciliatioun." So, the Scotish commissioners, licence being granted to returne, entered in their journey the eight of Aprile.

When the Erle of Morton had rehearsed these proceedings in England before the nobilitie, all was approved, their fidelitie and diligence commended. Their nixt care is how to hold the parliament, which was prorogued from the 19th of Januar to the 1st of May, which the rebels purposed to hinder. A proclamatioun was made, that everie man sould come with fyfteene dayes' victuall, to accompanie and assist the regent to the holding of the parliament. The Erle of Morton at this time, becaus he had undertakin upon his owne charges this journey to England, and had sindrie times before susteaned the commoun burthein with his owne privat moyen, was rewarded with the bishoprick of Sanct Andrewes, now vacant, by the death of Johne Hammiltoun the bastard, hanged the sixt of the same moneth, as we have said before.

Upon Fryday, the 27th of Aprile, the Erle of Morton returned from Stirline to Dalkeith, accompanied with two bands of the regent's souldiours. This night, about midnight, the captan's souldiours tooke out the toun's ordinance and artillerie out of the kirk, and some picks out of the counsell-hous, and that by the discoverie of some false brethrein who were upon the counsell, and knew where they lay.

THE ERLE OF CASSILS' CRUELTIE.

Gilbert Erle of Cassils, and Thomas Maister of Cassils, with their complices, to the number of sixteene persons or thereby, came to Croceraguell Wood upon the 29th of August last bypast, and entised Mr Allane Stewart, Commendatare of Croceraguell, to passe with them to the castell of Dunure, being minded, if he had refused, to have caried him away by force. The erle appointed six of his servants to wait upon him, that he escape not. He returned the first of September, and required him to subscrive a few-charter to him of the whole lands perteaning to the abbacie of Croceraguell, together with nyneteene and five yeere tackes of the fruicts, tithes, and dueteis therof, of the whole kirks and personages perteaning thereto. He answered, it was a thing unreasonable, in respect the same was alreadie dispouned long of before to the kindelie tenents and possessors, and to James Stewart of Cardonald, and therefore could no wise doe it. After long boasting and minassing, the erle caused his baiker, his cooke, his pantrie man, and some others, take him to a hous called the Blacke Vaute of Dunure. They stripped him naked of all his clothes perforce, except the shirt and doublet; then they bound both his hands at the chekkell bones with a cord, and both his feete likewise. Therafter, they bound his soles betwixt an yron chimney and a fire, whill he was forced, through the torment of cruell burning, to grant to obey his desire, howbeit sore against his will, and to be releeved of the said paine. He subscrived the charter and tacks, without reading or knowing what was conteaned in them. Then the erle caused the tormenters sweare upon a Bible never to reveele this unmercifull handling. The erle came againe the 7th day of September, and brought with him the charter and tacks, which he compelled Mr Alane to subscrive, and required him to ratifie and approve the same before a notar and witnesses, which he refused. Wherupon, he was tormented againe as before. The torment was so great, that he cried to them, "Fy upon you! will yee putt whingers in

me, and putt me off this world; or ellis putt a barrell of powder under me, rather than I sould be demained after this maner." The erle hearing the crie, commanded his servant, Alexander Richard, stoppe a servit in his throat, which was obeyed. At ellevin houres at night, when they saw his life in danger, his fleshe consumed and burnt to the bones, and yitt would not condescend to their purpose, he was sett at libertie, but could not recover his former strenth againe.

The erle intrometted by all order of justice with the whole living of Croceraguell for three yeeres bygane, and yitt continued, not regarding the letters of charges executed in the king's name. When Mr Allan was deteaned captive, the erle was charged under paine of treasoun to sett him at libertie. Yitt he disobeyed, went to the horne, and incurred the said paine of treasoun. Mr Allan compleaned to the regent and counsell conveened at Stirline, and craved that the said erle might be charged to produce the few-charter and tacks above mentionned, and these being produced, to be decerned of no availe, for the causes above writtin; and als, to compell him to find cautioun and sovertie, that he, nor none of his name, in anie time comming, intromett or meddle with anie part of the rents of the said abbacie of Croceraguell; and not to oversee his usurped authoritie in tormenting him. The erle was warned, and compeered before the regent and Lords of Secreit Counsell. He alledged, the points of the complaint were either civill or criminall, and that he ought not to answere thereto, but before the judges competent. The regent, with advice of the counsell, without prejudice of the ordinar jurisdictioun and judgment, ordeaned and commanded the said Gilbert Erle of Cassils, being personallie present, to find cautioun and sovertie acted in the bookes of Secreit Counsell, that he, nor none that he may lett, sall invade, molest, or persue the said Mr Allane in his bodie, nor meddle or intromett with his speciall living of Croceraguell; or uptake the fruicts, rents, profites, or duteis therof, otherwise than by order of law and justice, under the paine of two thowsand punds; and to find the like cautioun and sovertie, under the same paine, to Mr George Buchanan, pensioner of

Croceraguell, both for his owne persoun, and for his pension, who being personnallie present, craved the same. And incace the said soverties be not found before the said erle depart furth of Stirline, that alwise the same be found before he be releeved of his waird, where he is appointed to remaine, although the other occasiouns for which he is wairded were accomplished and fulfilled. This act of counsell was made at Stirline the 27th of Aprile.

A RYOT COMMITTED.

Upon Saturday, the 28th of Aprile, betwixt one and two in the night, Captan Melvill entered, with twentie and himself, into Andrew Henderson's hous, under promise to search the hous for one called Tod; but at his departing, the rest of his men entered, and tooke foure of Mr James Makgill's servants, the goodman himself, with two other young men, schollers, latelie come from Sanct Andrews. And the good wife demanding what they sought that time of night, a souldiour gave her a stroke, wherof she died incontinent.

THE SKIRMISH OF LOWSILA.

Upon the Lord's day, the 29th, the regent's souldiours, to the number of six score of men, and threttie horse-men, came to Leith, where they proclamed letters and charges in the king's name. After dinner, they come up Leith Wynde, shott in at the port of the Neather Bow, proclamed their letters at the Cannogate Croce, and with beating of the drumme warned all that would tak wages of the king, etc. So they went on their way neere to Craigmillar. Huntlie, Hume, Coldinghame, with all the gentlemen of the castell, the captan, and Sir James Balfour, with some few others excepted, followed after them, with Captan Melvill and Captain Cullan's bands, to the number of fourteene score of pick men and harquebusiers. The regent's souldiours turned and drave them in at the Potterraw Port, notwithstanding of the shooting of the ordinance out of the castell. Captain Moffet was hurt with a speare, whill

he was steeking the port. Huntlie stoutlie discharged his dag when he came in at the port, becaus he durst not hold up his face against the pursuers. Others write, that they encountered first at Low-sila; that sundrie that issued out of the toun were slaine, and that, therefore, this skirmish was after called the Skirmish of Low-sila. Buchanan reporteth it after this maner:—When the Erle of Morton returned from Stirline, there was committed to him a band of an hundreth footemen, and some horsemen, for his owne defence, and to represse the incursions of the adversars. He sent twentie horsemen and seventie footemen to Leith, to assist a proclamation to be made in the king's name, that none succour the rebels by sea or by land, with victuall, armour, or munitioun. They returned hard by the ports. These who were within the toun invaded them, but were repelled with shame, after they had skirmished at Low-sila. This was the first breaking off of the warres, which were called the warres between Leith and Edinburgh, which continued till Julie 1572, at which time the toun was made patent to all men.

GRANGE CHARGETH SOME OF THE INHABITANTS TO PASSE OFF THE TOUN.

Upon the 30th of Aprile, the captan of the castell caused proclame, at the Mercat Croce of Edinburgh, a charge, commanding all that were minded to concurre with the Erle of Lennox, and others, his enemeis, and will not assure him of their true freindship, that incontinent, within six houres after this proclamatioun, they depart off the toun and suburbs therof; with certificatioun the saids houres being past, he sall demaine them as enemeis, and they sall remaine at their owne perell, becaus the Erle of Lennox and his factioun were determined to invade and persue him, with all maner of hostilitie, als weill by open force as secreit interprises; and some seditious persons assemble together by companeis, in privat houses, in the night, with weapons and armour, with watche and waird, without his knowledge, which maketh him suspect that they meane to joyne themselves with his enemeis, for his subversioun. The citi-

cens conveened, and directed some to the castell, to understand what he meant by this proclamatioun. He gave them manie faire words, but never keeped one.

THE CAPTAN TAKETH THE KEYS OF THE PORTS, &c.

Upon Tuisday, the first of May, the captan of the castell tooke the keyes of the ports from the bailliffes, by force, and sett his souldiours to keepe the ports. This same day they beganne to make the barresse above the Butter Trone, for defence of the castell.

ELPHINSTON CAREFULL OF MR KNOX.

The same day the Laird of Elphinston sent a missive to his brother-in-law, Robert Melville, wherin he desired him to have a care that Mr Knox be not troubled. The other answered, that howbeit he had used them otherwise than they had deserved, yitt did they minde no harme to him. But becaus they could not be answerable for the rascall multitude, it was their advice, that he sould ather come to them to the castell, where he sould be preserved as themselves, or ellis that he would remove to some freind's hous, and stay till the troubles were ended. The other answered, whosoever medled with him to his hurt, the Lord would revenge it: alwise he would assay if he might move him to remove out of the toun for a while.

THE TOUN FORTIFEID.

Upon Wednesday, the secund of May, the rebells of the castell beganne to mak another barresse at the strait of the West Bow. Upon the thrid of May, they entered into the tolbuith and counsel-hous, and Andrew Lindsaye's hous; so the scribes were forced to remove all their letters. This day they spoiled the regent's loodging, and caried away cannabie beds, and other movables of small importance. Upon the fourth of May the duke came to

Edinburgh, and his sonne Claud with him, accompaneid with three hundreth men, or, as others report, an hundreth hors, and seventie foote-men. This day they beganne to make holes in the vaute of the Great Kirk of Edinburgh, which they made like a riddell, to shoot thorough at suche as they pleased within the kirk, or at suche as would preasse to breake doun the pillers. Now is seene that which men would skarslie have beleeved before; the Laird of Grange joyning with the Hammiltons, who slue his maister, which made manie beleeve that he was privie to the fact.

MR KNOX HIS DEPARTURE OUT OF EDINBURGH.

The same day, the fourth of May, after noone, the rebells held a counsell in the castell. The captan desired an assurance to certan of the citicens, speciallie from the Hammiltons, for Mr Knox. They answered they could not promise him assurance upon their honours, becaus there were manie rascalls and others in the toun, who might doe him harme without their knowledge. The best professors in the toun, together with Mr Craig, came to him, and desired him in the name of God to depart, seing he was in danger. But he refused, till they said, if he stayed, it would be the occasioun of shedding muche blood: they could not see him suffer harme; but it behoved them to defend him against whomsoever. Seing the Hammiltons and the rest of the rebels had now the strongest partie within the toun, so that they were not able to resist them, (they) besought him, for their owne sakes, to depart. So, at their instant request, he went over the water to Abbotshall, the day following. There rested other two dayes for celebratioun of the communioun, but (it) was interrupted by his departure. Upon the Lord's day following, the duke came to Mr Craig's sermoun, with his sonne Claud, the Lord Huntlie, and the rest, but went out after sermoun before prayer.

A BRAVADE BEFORE THE CASTELL.

Upon Moonday, the seventh of May, some gentlemen of the Erle of Morton's houshold ryding upon Hakerton's croft before the castell, for all their shooting, called them within tratours both to God and man, murtherers, &c.

A PROCLAMATION.

A proclamatioun was made this day, that none sould be troubled but suche as had borne armes against them, or assisted their enemeis: that if anie souldiour tooke anie man, he sould bring him to his captan; if a gentleman tooke anie, he sould bring him to the lords, to be tried if he had borne armes against them, or assisted their enemeis.

MR JAMES KIRKALDIE RETURNETH FROM FRANCE, WITH FURNITURE FOR THE CASTELL.

Upon Tuisday, the 8th of May, hors and foot were sent doun to Leith, to bring up the provisioun, which Mr James Kirkaldie brought out of France in a little barke. They brought up six coffers, and made men beleeve they had gottin als muche gold as would serve for waging of a thowsand souldiours for a yeere; which was not true. He tooke with him to France some of the queen's jewells, sold them, and brought home three or foure last of powder, some croslets and rotchets of small ordinance, four or five tunne of wine, some bisket, bread, and suche other furniture. This Mr James Kirkaldie was seene by some merchants familiar at Parise with James Hammiltoun of Bothwelhauche.

ARGILE AND BOYD COME TO EDINBURGH.

Upon Wednesday, the 9th of May, the Erle of Argile, Lord Boyd, and the Commendatare of Arbroth, came to Edinburgh, at

ten houres at night. Argile and Boyd came to make agreement betwixt the two parteis.

PROCLAMATIONS.

Upon Thursday, the tenth of May, all who were minded to assist the regent and the Erle of Morton were commanded to depart off the toun, by proclamatioun at the Mercat Croce. The inhabitants were charged to keepe their loodgings everie night after nyne houres.

THE REGENT COMETH TO LEITH.

Upon Friday, the elleventh of May, the regent came to Leith, accompaneid with five or six thowsand hors, wherupon the ports were shutt, and captans appointed to possesse suche parts of the toun as were allotted to them.

Upon Saturday, the 12th, a drumme was sent from Leith to the bailiffes, to crave that the ports might be patent to the regent and his companie. Arthure of Myrrintoun being at the port, answered, that he sould not gett entrie there, and forbade the drummer come again suche earands. Another was sent to the West Port, to the same effect.

PHAIRNIHIRST AND HIS COMPANIE.

Upon the Lord's day, the 13th of May, Phairnihirst came with seventie speares or thereabout. One of his companie was hurt with the shott of a hacquebutt, becaus they were mistakin for the regent's men.

MR CRAIG A NEUTRALL.

This day Mr Craig taught upon the 130 Psalme. He compared the estat of the Kirk of God within the toun to the estat of the

Jewes, who were oppressed, sometime by the Assyrians, sometime by the Ægyptians. He said, when wicked parteis contend and strive for their pride, ambitioun, and worldlie honour, the kirk is alwayes in trouble. By these speeches he offended manie, becaus he made the caus of both parteis alike. He lamented there was no neutrall man to mak agreement betwixt the two parteis, seing whatsoever partie sall be overthrowne, the countrie sall be brought to ruine. But some said, "Happie is that countrie wherin murtherers, tratours, and blood-thristie men, &c., are punished, and so the countrie freed of trouble."

THE EAST PORT FORTIFIED.

This night the regent's men planted their ordinance upon the Dow-craig, from whence they shott at the men of warre in the dirtie blocke-hous within the wall of Leith Wynde. Captan Gibson, who was captan of the steeple, one called Kirkaldie, who before had danced at the cocke of the steeple,[1] and a corporall, and a Frenche man called Busyne, were slaine. The regent's souldiours entered into one Lowson's hous at the head of Leith Wynde, and in another hous just over against it, from whence they shott, and lett none remaine upon the two turrets above the Neather Bow Port. The port was shutt, and filled up with mucke, stones, and timber, by foure houres of the morning. All worke men were commanded, at beate of drumme, to come with spaid, shoole, and mattocke; but Huntlie,

[1] Dancing upon such dangerous eminences was not an unusual bravado among the martialists of the middle ages. Las Casas gives an account of a daring exploit of this kind performed by Don Alonso de Ojeda, one of the fellow adventurers of Columbus. He ascended the tower of the principal church of Seville, walked along a narrow beam that projected twenty feet from the wall into the air, stood on one leg when he reached the end of the beam, turned himself nimbly round, and walked back again to the tower, while the people below, to whose sight he was almost diminished to a span, gazed upward in breathless astonishment. He then stood with one foot on the beam, planted the other against the wall, and threw an orange to the top of the tower;—thus proving his immense muscular strength as well as his firmness and adventurous courage.

Hume, Claud Hamiltoun, Kilwinning, Arbrothe, the Parson of Flisk, and diverse others gentlemen, were the cheefe worke men. They drew doun manie of Alexander Clerk's geests[1] lying in the street, for feare the other partie sould have entered. The captan came never furth to the toun, muche lesse to the feilds.

THE REBELS FENCE A PARLIAMENT.

Upon the 14th of May the regent came out of Leith, with his armie, to the Cannogate. They cast their trenches before the ports. The other partie within sett their men in good order about the walls of the toun where there was greatest danger; the gentlemen awaited on the streets. They sett foure gabrons at the strait of the Bow, which they filled with earth, just against the port, where they placed some ordinance, to shoot at the port when need required. About ellevin houres, the Erle of Huntlie, Lord Hume, and Kilwinning, the Pryour of Coldinghame, brother to Lethington, with foure or five gentlemen, went to the tolbuith, and fenced the court of parliament in our soveran's name, specifeing nather king nor queene; and tooke documents that they were present in name of suche as were called to the parliament, to answere to suche things as were to be layed to their charge. This was done in presence of three scribes of the sessioun, George Gibson, Robert Scot, and Johne Wallace, whom they had charged before under the paine of five thowsand, to be imposed upon everie one of them, not to give furth anie letter or letters whatsoever, without licence asked and given by the captan; and that they remain in Edinburgh, under the same paine.

THE GREAT CANNON BROUGHT DOUN.

This day the great cannon was brought doun from the castell to the Blacke Frier Yaird, but was caried up again to the castell about the evening; but brought doun again on the morne, at Huntlie's

[1] Jousts or planks.

desire, who found sovertie, under the paine of five or six hundreth punds, to bring it backe againe. Two or three poore men losed their lives with drawing of it. They shott with it twentie-foure shott. One shott fired their owne gabrons. There was slaine this day of souldiours and workemen eight or nyne. They were compelled, by shooting out of hous in Pleasants, to remove the cannon.

THE REGENT HOLDETH A PARLIAMENT IN THE HEID OF THE CANNOGATE.

The regent not having sufficient artillerie to assault the toun, is advised to hold the parliament in the head of the Cannogate, which was within the freedome of Edinburgh, and therefore als sufficient a place as if it had beene within the walls. So the parliament was holdin above St Johne's Croce, the 14th of May. The Bishop of Sanct Andrewes his sonne was forefaulted the 17th of May, the Abbot of Kilwinning, Lethington, and his two brethrein, Johne Pryour of Coldingham, and Mr Thomas Matlane. The parliament was continued till the fourth of August to be holdin in Stirline.

THE REBELS HOLD A PRETENDED PARLIAMENT.

The rebells held their parliament in the queen's name in the tolbuith of Edinburgh, with crowne, scepter, and sword, and prorogued their parliament to the fourth of August, or, as others write, to the tenth of June, to be holdin in Edinburgh. Two bishops, and some others, sent their votes to that rarê number. They forfaulted some of the other partie.

The Lord Hereis, Maxwell, and Lochinvar, returned to Edinburgh, accompanied with two hundreth hors, or above. Argile and Boyd would stay for no treatie, becaus they refused reasonable offers propouned to them by the other partie.

A SKIRMISH.

Hereis, Lochinvar, and Phair iihirst, went out at the West Port, accompanied with 200 hors, and 120 harquebusiers, of purpose to have takin the fort upon the Dow-craig. But, when they came neere, they retired at the sight of twentie-foure or threttie men. The regent's horse-men came about by the Canno-mylnes. Some pricking and skirmishing there was in the crofts; fyve or six were hurt, Arthure of Myrrintoune runne through with a speare. They durst never goe without the shott of the castell. There were sindrie shotts out of the castell of great and small peeces. Captan Moffett was buried this night.

The commissioners appointed by the last Generall Assemblie conveened at Leith, and sent some of their number to the castell of Edinburgh, to travell for agreement betwixt the two parteis. Their travells may be gathered out of the discourse following:

"At our entrie in the castell, we past to the great hall on the south side, where soon after Sir James Balfour came to us; and incontinent therafter the lord duke, and at last the captan of the castell; who desired the lord duke and us also to enter in the chamber within the said hall, where the lord secretare was sitting before his bed, in a chaire. My lord duke satt doun. So the captan desired us all instantlie to sitt doun, which we did.

"Then the Superintendent of Fife beganne the propositioun, saying, 'My lords, becaus some commissioners of the kirk are conveened presentlie at Leith, who perceaving thir intestine troubles in this commoun wealth, thought it became them of their duetie to offer their labours and travells, to the end, if it sould please God, that thereby the same might be quenched; for the which we are come heere to offer our travells and labours, as said is.' After this propositioun silence was keeped a certan space, whill I continued the purpose again on this maner: 'My lords, I thinke our commissioun extendeth this farre, that seing your lordships are willing we sould travell as yee have declared, by your writting to our

brother, Mr Craig, and we are also verie willing to bestow our labours, then it resteth to know and heare of your lordships what heeds or articles yee will offer unto us, as a ground wherupon we may travell.'

"To this answereth the lord secretar: 'Mr Johne, ye are overwise. We will make no offers to them who are in the Cannogate; for the principals of the nobilitie of Scotland are heere, to whom they who are in the Cannogate are farre inferiour in that ranke. Therefore, to them we minde not to make offers; for it becometh them rather to make offers to these that are heere. And if they would come to this point, to consider how farre they have gone astray, and desire the noblemen heere to travell for them, that suche things as they have done heertofore might be remitted to them, and securitie to be made of their lives, lands, goods, and heritages, for them, their freinds, and their posteriteis, I understand thir noblemen will to that effect concurre with them, that all securitie may be provided for them, so that concord may be had among them all; and otherwise, bidde them not looke for anie offers from us.' Then said I, 'So, my lord, it appeareth to me we have the lesse to doe, seing no ground is offered to us wherupon we may travell.' Then said Mr Craig, 'But it appeareth to me that we have somewhat further to say; that seing there is a lawfull authoritie established in the persoun of the king and regent, throughout this realme, which ought to be obeyed by all the subjects therof, therefore our duetie is, as commissioners and members of the kirk, to admonishe everie one of your lordships to obey the same.'

"Then said the secretar, 'I will show you the discourse of the proceedings heerof from the beginning. When we enterprised the taking of the queen on Carbarrie Hill, there was then two cheefe occasiouns that moved us: The one was, to punishe the king's murther, cheefelie in my Lord Bothwell; the other was, that the unhappie mariage contracted betwixt the queen and him might be dissolved. And to this end, to sequestrat her bodie from him, she was putt in Lochlevin. And that thir were the cheefe occasiouns, the proclamations made at that time, and the writtings sent to other

countreis plainlie declare. So that we meant nothing then of the king's authoritie, nor to putt the queen out of her owne rowme, as I myself, (said he,) that same night the queene was brought to Edinburgh, made the offer to her Grace, if she would abandoun the Lord Bothwell, she sould have als thankfull obedience as ever she had since she came in Scotland. But no wise would she consent to leave the Lord Bothwell, and so she was putt in Lochlevin. At which time we hoped that all men sould have assisted to revenge the king's murther: but never one moe came to us nor we were at Carbarrie Hill. But by the contrare, the Lord Huntlie and manie others rose up against us, so that they were greater partie than we. And then we, finding no other way to preserve us from inconveniences, devised to make the cloke of some new authoritie; even as if we were passing over at Kinghorne, and the boat tooke fire, yee would leape in the sea to flee the fire, and finding yourself able to drowne, yee would preasse again to the boat. Even so the setting up of the king's authoritie was but a fetche or shift, to save us from great inconveniences. Not that ever we meant that the same sould stand and continue, as ever therafter I shew my lord regent, willing him to compone and agree the mater. And for my owne part, plainlie I confesse, that I did verie evill and ungodlie in setting up the king's authoritie; for he can never be justlie king, so long as his mother liveth. And that which I speeke, the whole noblemen within this toun, and others heere present, I am sure, will affirme the same.'

"At this speeche the lord duke, Sir James Balfour, and the captan, confessed with mutuall consents, nodding with their heads, and with low speeche, the premisses to be of truthe. Then said the secretar to Sir James Balfour, 'My lord president, yee can tell thir things als weill as anie man can.' Then said Sir James, 'Indeid, my lord, I was privie to thir things, and knew them weill, and understand the verie ground of thir proceedings to have beene as your lordship hath spokin.' Then said I to the secretar, 'My lord, I cannot tell what fetches and shifts your lordship hath used: but heerinto lett your owne conscience accuse yourself before your God.

Conscientiam vestram oneramus. But one thing weill I wote; honest men of simple conscience and upright dealing meant nothing of thir your shifts and fetches, but proceeded upon an honest and constant ground, having the glorie of God before their eyes, and the punishment of horrible crimes.' 'Nather,' said I, 'my lord, have godlie men of upright dealing used suche shifts and fetches as thir of yours are, namelie, in suche notable and weightie maters. But one thing, my lord, I perceave, that me thinke God hath beguiled you: that howbeit he hath used you and your shifts as an instrument to sett up the king's authoritie, yitt it appeareth He will not sett it doun again at your pleasure.'

"Then said the secretare, 'How know yee that? Are yee of God's counsell? *Quis fuit consiliarius ejus?* Yee sall see the contrare within few dayes, and then we will see what obedience yee will give.' Then said I, 'Until that time, my lord, our argument is good, and yee and others ought to give the king obedience.' Then said the Superintendent of Fife, 'Your argument, my lord, appeareth verie good, that the authoritie once established by order, with consent of the three estats of the realme, ought and sould be obeyed, ay and whill the same be sett doun again by the like power and order.' Then said the secretare, 'I mervell that yee will say so: for I remember I heard Mr Willocks, Mr Johne Row, and the rest of you, preache concerning Papistrie, that albeit the same were established by long continuance and authoritie of princes, yitt sould the same be rejected without order; and as it came in over the dyke, so sould it be shott over the dyke; and not tarie whill the like order be used in the setting doun of it, as was used in establishing of it. Even so I say of the king's authoritie, that we need not tarie, whill the same be sett doun by the self-same order that it was erected; for that, perchance, might be too long.' Then said I, 'In this your argument, my lord, I perceave a paralogisme; and that, by reasoun there is great difference and dissimilitude betwixt religioun and maters of policie. For as concerning religioun, howsoever a wicked religioun entereth in, so soone as the same is knowne to be wicked, how long continuance, or whatsoever autho-

ritie it hath had, it ought incontinent to be rejected; and the preachers' duetie is, to admonishe the people therof, commanding them to reject it, and to embrace the truthe; and that, becaus a wicked religioun tendeth directlie to the dishonour of the name of God, which in no wise ought to be suffered, no, not an houre. But otherwise it is in the policie, and cheefelie in the established authoritie of kings and princes; for howsoever the authoritie be once established, I presuppone it were by violence or tyrannie.'

"Heere the secretar interrupted me, and said, 'Mr Johne, I am glad to heare that confessioun out of your mouth.' 'My lord,' said I, 'givand and not grantand that so were, alwise I understand a lawfull ground in the king's authoritie; and the authoritie once established, ought to be obeyed. Nather is it against conscience so to doe, but rather standeth weill with good conscience; as Paul testifieth, writting to the Romans, commanding them to obey the emperour's authoritie then established among them, and that for conscience' caus,' said I. 'Yitt if yee sall consider the ground how the emperours of Rome entered to their authoritie, I thinke the ground therof was rather violence and tyrannie, nor anie lawfull establishement by the lawes of reasoun. Yitt, notwithstanding, the apostle commandeth the samine to be obeyed, which he would not have done concerning the obedience to a wicked religioun. And if the argument be good, that we sall obey the established authoritie, howbeit it have entered in by violence and tyrannie, then, muche rather ought we to obey the authoritie established, the ground wherof is lawfull, reasonable, and godlie. And if we sould enter in discourse, I cannot tell how manie authoriteis are established upon a lawfull ground.'

"Heere, as I understand, we keeped silence a certan space, and therafter Sir James Balfour said to me, 'I mervell that in your kirk yee have made an act decerning the king's authoritie lawfull, and so to be obeyed.' 'My lord,' said I, 'have yee read that act?' 'Nay,' said he. 'Indeid,' said I, 'so it appeareth; for we have made no act decerning anie authoritie lawfull. But we have concluded that the king's authoritie established sould be obeyed, and all the subjects to be admonished to his obedience, and he to be prayed for in all pub-

lict sermons. And what fault find yee, my lord, with this?' 'I pray you, tell me how know yee that the king's authoritie is established?' 'I know, my lord,' said I, 'by two arguments: The First, Becaus it is established by the three estats publictlie in parliament; Secundlie, Becaus it hath receaved universall obedience within this realme, without erecting anie other face of authoritie in the contrare.' 'But,' said he, 'how know yee that it is established truelie?' 'My lord,' said I, 'I can weill answere to that argument: for I was present in parliament, where I both heard and saw the samine concluded. If it be true that yee are there standing, or that yon little dog is lying in the secretar's lap, (for a little messan was lying upon his knee,) so is it true that I have said.' Then Sir James Balfour said, 'That parliament was no lawfull parliament; yea, it is null in the self.' 'My lord,' said I, 'is that processe of nullitie deduced and concluded by anie suche order as the parliament was holdin?' 'That needeth not,' said he, 'becaus it is null in the self.' 'Truelie, my lord,' said I, 'I learned a rule in the law, *Sententia facit jus inter partes donec retractetur.*' Then said the secretare, 'That parliament is null for manie causes, and cannot be judged a lawfull parliament.' Then said I, 'My lord, if anie parliament was holdin in Scotland thir seven hundreth yeeres, I doubt not but that was a lawfull parliament both in substance and ceremoneis; and what nullitie yee can alledge, I doubt not but the same may be alledged against anie parliament in Scotland thir seven hundreth yeeres agoe. Men may know what the nullitie of this parliament tendeth to, seeing our religioun was heerin established.'

"And heere we were appearing to fall out in some other termes, devoiding from the purpose; therefore, the secretar tooke up the mater again, and said to us, 'See yee not what thir men which are in the Canrogate pretend? Not ellis, I warrand you, but to rugge and reave other men's livings, and to enriche themselves with other men's geare; for how manie of them have other men's benefices and livings, and yitt cannot be satisfied?' Then answered Mr Craig, 'Lett suche things be spokin of them that be yonder, meekle worse is spokin of them that be heere.' 'And what is that, Mr Craig?' said he. 'My lord, it is

plainlie spokin, that these who are heere travell onlie in their proceedings to cloke cruell murtherers; and that the consciences of some of you are so pricked with the same, that yee will never suffer the nobilitie to agree.' 'Yitt, Mr Craig,' said he, 'so long as I was with them, they never accused me of the king's murther, and the last yeere, when they gave me all their hand-writts, purging me therof. Yea, to be short with you, so long as I was a piller to mainteane their unjust authoritie, they would never putt at me as they doe. In the treatie that is begunne in England, that is one of the cheefe articles, that the king and regent's murther sall be punished to the rigour, in all persons who sall be found guiltie therof; and our queen hath also oblished herself to the Queen of England, under the paine of tinsell of her right that she pretendeth to the crowne of England, that these murthers sall be punished in all that sall be found guiltie therof.' Then said Mr Craig, 'How can thir two stand, that the queene being sett up in authoritie, who is guiltie of the murther of the king, sall punishe the murther in anie others?' 'My lord,' said I, 'I heard your lordship tell a tale, that there was an appointment upon a time betwixt the King of England and Spaine: and when maters were concluded, a mirrie man said to the King of England, 'Sir, who sall be cautioun for the King of Spaine?' Even so I say, my lord, 'Who sall be cautioun for our queen in that behalfe?' 'Mr Johne,' said he, 'the Queen of Scotland will not tyne her right which she pretendeth to the crown of England for anie favour she beareth to anie man in Scotland.'

"'But this is a mervellous thing,' sayeth Mr Craig, 'that albeit my lord duke here, and some others, acknowledgeth not the king's authoritie, yitt, my lord,' said he, 'yee, yee, and yee,'—pointing to the Secretar, Sir James, and the Captan,—'will not denie the king's authoritie, seing yee have professed the same, and were the cheefe instruments of erecting the same.' Then said the secretare, that the king's authoritie was sett up in respect of the queen's dimissioun, to which I think I was als privie, and travelled as muche as anie in the Cannogate, as they can beare me record themselves; yea, and farther, without me they had nather the knowledge, wis-

dome, nor moyen to performe the same. And thinke yee of your conscience, that that dimissioun was made willinglie, seing the queene was holdin in captivitie, howbeit my Lord Lindsey and my Lord Ruthven so depouned publictlie? And for verificatioun heerof, my Lord Lindsey being desired by my lord regent therafter earnestlie to passe to England with him, he refused altogether, whether for laike of expenses or otherwise, I cannot tell. But, at length, when my lord regent preassed him so earnestlie, being in a hous of Leith, before a honorable companie, that he behoved to goe to England, then my Lord Lindsey swore a great oath, and said, 'My lord, if yee caus me goe to England with you, I will spill the whole mater; for if they accuse me, of my conscience I cannot but confesse the truthe.' Then said I, 'Truelie, my lord, this appeareth to me one of your owne fetches, that my Lord Lindsey used at that time; for seing he had no will of the journey, he would have used some coloured meanes. And in this fetche, my lord, he may appeare to be one of your disciples, howbeit he meant not so indeid.'

"Heere we beganne to mow, and, as it were, everie one to laugh upon another, and so raise. Then Mr Andrew Hay past to the captan, and spake with him a part; and therafter I spake with the captan. When we were readie to come our way, the secretare cryeth on me, 'Mr Johne, thinke yee that my Lord of Lennox, being an Englishman sworne, can be lawfull regent to this realme?' 'My lord,' said I, 'whether he be an Englishman sworne or not, I cannot tell, for that standeth *in facto*, but I understand he is a naturall borne Scotish man.' 'But I can tell you,' said he, 'I know he is an Englishman sworne.' 'But presupponing,' said I, 'that so were, what impediment is that? Whether he be an English man, Frenche man, Spaniard, or Italian, if he be lawfull tutor of the law, and hath the right thereto, why may he not be lawfull regent during the time of the tutorie? For was not the Duke of Albanie a Frenche man borne? yitt becaus he was lawfull tutor to our king, he bare the regiment during his minoritie. And how could he justlie by anie letts be secluded therefra?' 'Mr Johne,' sayeth he,

'there is a difference betwixt the two.' 'And what is that,' said I, 'my lord?' 'We are joyned in league and amitie with France, but England hath beene our old enemeis.' 'My lord,' said I, 'that argument now appeareth nothing; for we have peace and amitie with England presentlie, as we have with France.' And thus we took our leave, and came our way."

CAPTAN HACKERSTON'S BRAG.

Upon Saturday, the 19th of May, the horsemen went out at the West Port, with two hundreth harquebusiers, of purpose to draw some of the regent's folke frome the Cannogate, that in the meane time others might sallie out at the Neather Port. Captan Hakkerston went out at a doore beside the Cowgate Port, accompanied with sixteene men, and came to the trenche at the head of the Cannogate, and slue a poore gudget[1] doing the office of nature in a trenche, but lost one of the best he brought with him. When he went in again, he bragged he had slaine six or seven.

THE REGENT RETURNETH TO LEITH.

The regent and his armie stayed in the Cannogate from Moonday in the morning, the 14th of May, till Saturday at night, the 19th of May, notwithstanding of frequent shooting out of the castell. All this time, there was nather preaching nor prayer, nor sound of anie bell heard in the toun, but ringing of cannons. The cannon did little hurt, but demolished chimney-heads; but great harme was done with hacquebutts on both sides. The captan of the castell persued the regent, when he went out of the Cannogate to Leith, after supper, with ten shott of cannon.

THE REGENT REMOVETH FROM LEITH TO STIRLINE.

Upon the Lord's day, the 20th of May, about ten houres, all the

[1] Camp-follower.

gentlemen and souldiours that were in Edinburgh went furth on foote and hors, becaus the regent was removing from Leith to Stirline. Some skirmishing there was about the Water of Leith with the footemen. As the Erle of Morton returned from Corstorphine, where he parted from the regent, foure hundreth hors and three hundreth footemen sailled out of the toun, to the Burrow Mure, toward Merchinston. But he was past Braid's Craigs in his way to Dalkeith, before anie hors were drawin out.

THE REGENT'S LOODGING SPOILED.

Upon the 21st of May, the souldiours tooke out of Cuthbert Ferguson's hous of the Cannogate, where the regent loodged, three or four twnne of wine, with pockes of wooll, and packes of skinnes, which were brought from Leith for defence from shootting.

THE CASTELL OF GLASGOW ALMOST SURPRIZED.

Upon the 22d of May, Hereis, Maxwell, Lochinvar, Phairnihirst, went furth of the toun. Upon the 23d of May, Claud Hammiltoun went with a number of horsemen and footemen towards Hammiltoun, purposing to surprize the castell of Glasgow, which was to be betrayed by the three brethrein of Cochnoch, who were committed prisoners there. Some they seduced; they putt furth three or foure; some they bound; some knew nothing of the interprise. They shott a peece, for a warning to the other partie. The burgesses hearing the shott, suspected, and incontinent with the Laird of Minto, who had the castell in keeping, closed about the hous, placed some harquebusiers in the steeple, scaled the hous, and recovered it with the losse of two men. So their enemeis were disappointed. Claud returned with six or seven score of horsemen to Edinburgh the last of May, and brought with him the Lord Sempill. The captans or souldiours went out of the toun, and oppressed honest men where they pleased.

A SKIRMISH OF SOULDIERS BETWEEN DALKEITH AND EDINBURGH.

Upon Saturday, in the morning, the secund of June, there went furth two hundreth and twentie footmen, harquebusiers, and a hundreth hors, to burne the toun of Dalkeith; or, if that succeeded not, to terrifie the bands of souldiours lying there from ranging abroad; or by some bravade, to ostentat their power to the commoun people. Some report, that they were six hundreth hors and foote. They brought with them in carts two brazen peeces, or falcons. When they came to Lugton, in sight of Dalkeith, there sailied furth threescore hors and two hundreth foote; drave them backe, and persued them till they came to Craigmillar, and drave them from three or foure places which they had takin for defence. In their pursute, they tooke Captan Hackerston, and eight or nyne souldiours with him, and foure horsemen. Whill Captan Melvill striketh up a barrell of powder, to deale among the souldiours, they come so thicke upon him, that one of their lunts falling into the barrell, the powder taketh fire. Sixteene souldiours were so burnt, that they were not able to serve; two of them died presentlie. Captan Melvill himself, having a croslet upon him, was blowne up from the earth a good space; and after, was brought to the toun without hope of life. The other partie perceaving, pursued still. The pursuers after this were onlie threescore souldiours and twelve horsemen, the space of halfe a myle or more. Eighteen horsemen and threttie foot were sent out of Edinburgh, to succour the pursued. The pursuers flee. Some were killed, some wounded, twentie-six takin prisoners; but moe were slaine on the other side. The Erle of Morton had sent away, the day before, eightie souldiours and some horsemen, with money to be sent to Dundie, which emboldenned the other partie to their enterprise, wherof they reaped no vantage. Captan Melvill departed this life upon Wednesday, the 6th of June, about midnight. He raved continuallie from the first night he came in till his departure, being tormented with a fever. The captan of the castell

made an harang to his band within the blocke-hous of the castell, wherin he lamented the death of suche a captan; promised that he would be their captan himself; that none of them sould want, so long as he had a furre of heritage in Scotland; therefore, desired them to be true to the king and him, in defence of that hous, "and in resistance," said he, "of our old enemeis, if they sall assault it. What is the purpose of the lords," said he, "within this toun, I know not, nather will I have to doe with them. My only intentioun is to keepe this hous; and therefore desire you to be leill and true." Upon the elleventh of June, Hume, Balcleuche, and Phairnihirst, went furth toward Dalkeith, where there was pricking on both sides.

GRANGE HIS CARTELL AND GARLEIS' ANSWERE.

Upon the elleventh of June, the Laird of Grange, captan of the castell, sent a cartell to Dalkeith. The contents of it were, that seing he was slaundered as a tratour, a murtherer, an assister of murtherers, and allower of the slaughter of the Erle of Murrey, late regent, for whom, during his life, he hazard all that he had in the world, if he knew who were the authors or sowers of suche bruites, he would answere them more particularlie: Alwise for defence of his honour, which he would mainteane against all deidlie, of whatsoever estat he be, that hath by writt, speeche, or otherwise, slaundered him, as said is, he hath unhonestlie, falselie, and mischeantlie leed in his throat. Upon the 14th of June, Alexander Stuart of Garleis, younger, sent an answere to this his cartell; accuseth him of arrogancie, in that he compared himself to the cheefe of the nobilitie of Scotland, not excepting the king's Grace his blood, he being of so base condition, that his father had but eight oxengang of land, and his progenitors, for the most part, saltmakers. "Howbeit that thou art," said he, "so notorious a tratour, that this actioun sould be decided by other judges than by adventure of armes, notthelesse, I, Alexander Stewart of Garleis, will offer my self to prove thy vyle and filthie treasoun with my

persoun against thyne, and as the law and custome of armes requireth: With protestatioun, that it sall not be prejudiciall to my honour, nor to my blood, to compare my self with so late a printed gentleman, manifestlie knowne to have committed at sindrie times diverse treasouns; and takin out of the galeyes to be keeped to the gallowes."

THE REBELS HOLD A PARLIAMENT.

Hereis, Maxwell, Lochinvar, and the other rebells, returne to Edinburgh, and among the rest, the Bishop of Galloway or Athens, to the parliament appointed to be holdin the 12th of June. Upon Tuisday, the 12th of June, the duke, the Erle of Huntlie, Lords Hume and Maxwell, Lord Claud, the Pryor of Coldinghame, the Abbot of Kilwinning, the Bishop of Galloway, the Laird of Phairnihirst, and some other barons, came doun on foote from the castell to the tolbuith. A letter was presented to them by Garthlie from the queen, but forged in the castell of Edinburgh. The letter or supplicatioun was read, and, according to her requeist, all the former proceedings tuiching the king's coronatioun were made null. The Lord Somervell his vote being asked, (for he was writtin for,) answered, he was a man of small judgement, and therefore behoved to advise, before he rashlie voted to depose a crowned king: so he refused for that time, wherof he tooke documents. Huntlie was created Generall-Lieutenant for the queene. Within two houres and a halfe, that is, about twelve houres, they came furth of the tolbuith, and road in order, first Phairnihirst, nixt Lord Claud, then the Pryor of Coldinghame, then the Lord Hume, bearing the sword: after him Huntlie, bearing the scepter, and the duke the crowne. The captan refused to deliver the honours out of the castell, when the regent held his parliament before; yitt he made no scruple to deliver them to the factioun of the rebels.

The forged supplicatioun, and their act made therupon, followeth; together with other proceedings at this their parliament.

In Parliamento S. D. N. R. tento in prætorio Burgi de Edinburgh, undecimo die mensis Junii, Anno Domini 1571.

The which day, anent the supplicatioun givin into the states of parliament, wherof the tenor followeth:—

"It is not unknowne to the whole nobilitie and estates of this realme, how the queen's Majestie being, by birth and lawes of the realme, your undoubted soverane princesse, was a long time deteaned captive within the loche and fortalice of Lochlevin; during which time of her imprisounment, there was presented to her Highnesse upon the suddane, a letter, conteaning a certan forme of dimissioun of her crowne; bearing also her consent to renounce and overgive the same; with a commissioun to certane persons specified therin to receave the said renunciatioun and dimissioun, in favours of her Majestie's deerest sonne; and after the receaving, to plant, place, and inaugurate him in the kingdome, and with all ceremoneis requisite, to putt the royall crown upon his head, &c. as at more lenth is specified in the saids letters of procuratioun or dimissioun, which letter she was required, and with great instance preassed to subscrive. And albeit finding herself suddanlie assaulted with a motioun of so great consequence, when as she was by strait guairds secluded from all intelligence of the most part of her nobilitie and faithfull counsellers, she at the first required some delay and time, to be advised upon so weightie a caus, yitt it behoved her to yeeld to force which she was not able to resist. For suche threatnings and fearefull languages was used to her, accompaneid with a vehemencie and awful countenance of these who had the charge to deale in the mater, that it appeared weill, in what danger her most noble persoun stood, if she sould seeme repugnant to their most unreasonable desires. Which opinioun was also confirmed in her heart by secreit advertisement sent to her at the same time by some noblemen and trustie persons, who were privie to the extremitie intended against her, if she sould refuse, and yitt were, according to their duetie, carefull for her preservatioun; by whom she was

advised to make no difficultie, as she tendered her owne life, and would eshew present death. The same advice also was brought to her from Sir Nicolas Throgmorton, knight, being there in this realme ambassader for the Queene of England, her Majestie's good sister, being directed hither purposelie to comfort her upon her said good sister's behalfe, and to use all good offices possible for procuring of her libertie; who, (as is probable,) by frequent conferences and discourses with her principall adversareis, had decyphered their wicked intentioun. When as she had a little mused with herself upon the dangers imminent; and casting her eye to view the place where she was for the time, being so small a compasse of ground, envirouned on all parts with the barbare element, the water; and therewithall considered, under whose rule, subjectioun, and keeping, she was, being persons like eneugh to putt their cruell minassings in executioun; having had experience by some other their actiouns, that they might weill find in their heart to shed blood, and how little reverence they bare to her royall persoun, it was no mervell, that being borne to impyre, and frome her craddell birth brought up in commanding, and so not accustomed to obey, namelie, suche as God had constitute her subjects; finding her state so suddanlie changed, and the order of nature inverted, that now she must be ruled by her owne vassalls; being also destituted of all worldlie comfort and hope of releefe; speciallie, being a woman, it is (I say) no mervell if her heart was stricken with a suddane feare, yea, suche as might fall in a constant man; by which feare, her Majestie was induced to subscrive the said letter, and others, bearing the establishement of a certane kinde of regiment during the minoritie of her sonne.

"Upon how weake a ground the dimissioun is founded may appeare by the narrative it self, conteaning so vaine and frivole causes, as need little declaratioun of the contrare. For all who know or have spokin with her Majestie can beare record, that (praised be God) her bodie, spirit, or senses, are not so feebled and decayed, that she was not able to discharge her self of the office God had called her unto als sufficientlie as anie whom they desired to be

placed in the rowme. And ridiculous it had beene to lay upon the shoulders of an infant in the craddell a burthein, which her backe could not beare; being knowne to be of so great pregnant witt, and quick engyne, brought up in the most frequent theater of the world, continuallie exercised in the trade of princelie effaires; indued with suche wisdome and other naturall gifts for a prince, that her most malicious enemeis come never to that impudencie, that they durst argue her of insufficiencie to beare rule. Whether the Erle of Lennox' backe be able to carie the heavie burthein which her shoulders could not beare, lett the world judge, speciallie suche as are naturallie acquainted with his naturalitie, and have good prooffe how gravelie he can discourse in maters of estat.

"Upon this pretended dimissioun, subscrived, as said is, in the place of her imprisonment, and extorted by just feare of present death, is grounded, and consequentlie followed, the coronatioun of her deerest sonne; and the name of his authoritie abused by a few persons, who have clothed themselves with the coverture therof, the more easilie to overthrow the whole estate. It is not to be past over with silence, in what maner the privie seale was appended to that letter; how it was violentlie, and by force, reft out of the keeper's hands, as may appeare by authentick documents.[1] So, as her Majestie's subscriptioun was extorted by force, so was the seale extorted by force.

"It is also to be considered, what probabilitie there is, that her Majestie would have of her owne motive, givin over her crowne to her sonne, being an infant in the craddell, without provisioun of her owne estat, or reservatioun of anie part of the revenues of the crowne, for maintenance of her princelie port. Attour, it is not to be neglected, of what validitie a dimissioun of the crowne had beene, albeit no compulsioun nor feare had interveened; the same being a privat act, done without all solemnitie, speciallie without con-

1 This irregular action was committed by Lord Lindsay, who by force took the seal from the keeper, and compelled him to set it to Mary's deeds of resignation. The whole account is contained in a communication by J. Riddell, Esq., in Blackwood's Magazine for October 1817.

sent and authoritie of the estats of the realme, who have speciall interesse, in respect that without them maters of lesse weight cannot be valuable by the lawes of the realme. For how might the queene, without the authoritie of parliament, annaillie the whole realme, when by the law she may not annaillie the least tenement of land within the realme, annexed to the crowne, without the advice and consent of parliament? So soone as it pleased God of his mercie to deliver her Majestie's person furth of that thraldome, and that by his providence she escaped furth of Lochlevin, immediatelie after her comming to Hammilton, in presence of her nobilitie there assembled, of whom a good part had beene deceaved under colour of that surmized dimissioun, she gave her bodilie oath, that the same dimissioun and renunciatioun was not of her owne free motive, but, as said is, compelled, and that she was thereunto induced by just feare; and so, made solemne revocatioun, by advice of Mr Johne Spence of Condie, her advocat, as done in prisoun, and by dreadour.

"It is therefore required upon her Majestie's behalfe, that the nobilitie and stats presentlie assembled in parliament will examine the ground wherupon the pretended authoritie usurped by some, under name of her sonne, is founded. And if yee find it layed upon the said dimissioun and renunciatioun, for the reasons foresaid, and others to be considered by you, it is not, nor ever was, valuable, nor can, by the law of nature, God, nor man, be susteaned: that yee will decerne the same, with all that followed or dependeth therupon, to be and have beene null from the beginning, voide, and of no force nor effect, and so to be reputed and holdin heerafter: and so, consequentlie, the said coronation, and the pretended authoritie sett on by her deerest sonne's name, to ceasse, and have no farther effect during her Majestie's life: And the whole subjects of this realme to acknowledge their naturall band of allegiance to herself, and to serve and obey her Majestie at all times to come, as their soverane, like as the said pretended dimissioun and procuratorie, with all that followed therupon, had never beene devised, putt

in ure;[1] nor yitt had beene, *in rerum natura*, according to justice: And that yee will heerupon make an act of parliament, and sett out proclamations in form as effeires."

The Lords Spirituall and Temporall, and Commissioners of the Burrowes presentlie assembled, being with the said supplicatioun rypelie advised: It is statuted and ordeaned by the authoritie of the parliament forsaid, that the said pretended dimissioun, renunciatioun, and overgiving of the crowne, and, consequentlie, the coronatioun of her deerest sonne, the regiment and usurped authoritie therupon depending, with all that followeth therupon, for the reasouns specifeid in the said supplicatioun, and good considerationns notoure to the whole estats, are, were, and frome the beginning have beene null in the self, voide, and of no force nor effect; and so are to be reputed and holdin of no validitie in all times to come, but to ceasse, and have no farther effect during her Majestie's life: and that the whole subjects of the realme are bound to acknowledge their naturall band of allegiance to her Majestie, as their onlie undoubted soverane, lyke as the same pretended dimissioun and corronatioun, with all that followed therupon, had never beene devised, nor yitt had beene, *in rerum natura*, the same, notwithstanding, according to the desire of the said supplication; and that letters be directed therupon, in forme as effeires.

"Attoure, it is statuted and ordeaned, that no man tak upon hand to alter, change, innovat, or pervert in anie sort, the forme of religioun, and administratioun of the sacraments, publictlie professed and established within this realme, that the Evangell sincerelie preached may have course and be prorogated, without lett, hinderance, or impediment, to the honour of God, and comfort of his kirk: and that all superintendents, ministers, exhorters, and readers, in publict prayers and supplications, make their prayer in a decent forme; namelie, for the queen's Majestie, our soverane ladie, and her deerest sonne, the prince, and for her Highnesse' counsell, and whole bodie and states of this commounwealth."

[1] Practise.

A PROCLAMATION OF THE QUEEN'S AUTHORITIE.

Upon Wednesday, the 13th of June, they declared by open proclamation at the Croce of Edinburgh, how unjustlie the queene was deposed, how they had restored her to her former authoritie, and made null the king's authoritie. All the leiges were charged to acknowledge none but her for their soverane. Superintendents, ministers, readers, were commanded to pray for her after sermoun. They sent the same day to Mr Craig, to convocat the sessioun of the kirk, and read the letter sent to them. They conveened at three after noone. The Bishop of Galloway and Sir James Balfour craved an answere. Becaus the ministers refused to pray for the queene publictlie, the ministers were discharged by two messingers to preache, till they granted to pray for her.

CAPTAN WEMES' COMPANIE PERSUED.

Michael Wemes, captan of a Scottish companie in Denmarke, returned with his companie, and offered his service to the regent. His souldiours were to conveene at Leith, after visitatioun of their freinds. Captane Cullane and Mr James Kirkaldie went to Leith with six score of men, to intercept them at the comming over the water. The Erle of Morton came to Leith about the dawning of the day, the 14th of June, and tooke sixteene or eighteene: the rest, who went on boord before, could not be persued, becaus of the ebbing of the sea. But Captan Weemes, and a great part of his companie, sailling in a crayer,[1] escaped, and came to Leith. Twentie-six or twentie-eight were takin in a boat, not farre frome Leith, and brought to the castell of Edinburgh.

SIR WILLIAM DRURIE HIS ARTICLES.

Sir William Drurie, Marishall of Berwick, came to Dalkeith the

[1] A small vessel, a lighter.

25th of May, and conferred with the Erle of Mortoun. The day following he came to Edinburgh, and had conference with the captan and the lords that were in the castell. Upon the Lord's Day he went to Stirline to the regent. He returned to Edinburgh upon Tuisday the 29th. The captan came doun after supper with him. They were heard on the streets speeking sharpelie to other. Some deemed collusioun. Now, in June, Sir William Drurie proponed these articles following, in the Queene of England's namé, to the lords; but they were devised, as was thought, in the castell of Edinburgh:—

1. That there be a surceance of armes on both sides, so the same may be beneficiall to the king's partie.

2. That the persoun of the king be conteaned in safetie; and that the adversare partie sall not, by force, or anie other meanes, draw him in their hands.

3. That both parteis sall be content to send to her Majestie sufficient persouns authorized to treat for all maters in controversie, as weill privat and publict, which the Laird of Grange and Lethington have, by letters, alreadie offered to doe.

4. The Lairds of Lethington and Grange, by their letters, have alreadie compleaned, that yee have spoiled the lands of Lethington, and his father's goods, as also manie others; and that now, by your late parliament, Lethington and sindrie others are forfaulted; it being concluded by the Erle of Morton and his colleagues, at their departure from her Majestie, that in the parliament to be holdin in May last for the king, choice sould be made of sufficient persons to treat of the difficulties betwixt the king and his mother: and yitt no choice was made of commissioners, but sindrie persouns forfaulted; whereby the adversarie partie taketh great advantage, calumniating the regent and the Erle of Morton, that they meane nothing but privat revenges.

5. By letters from Grange and Lethington, in name of the queen's partie, to remitt all their maters, both publict and privat, to her Majestie.

6. Though the queen's Majestie had hitherto, by perswasiouns,

stayed the comming of forces out of France, yitt can she not with her honour and reasoun procure a stay of the Queene of Scots her revenues due to her for her dowrie in France: but the same may be lawfullie sent, and disposed by her to mainteane her owne port.

7. That by mutuall accord, all armes ceasse, saving in this sort, that the regent, for defence of his persoun, may be permitted to have some reasonable guarde to attend upon him; the Erle of Marr likewise some, for preservation of the king.

Sir William Drurie laboured to travell betwixt both the parteis: but he could not so much as obteane truce or abstinence; for the regent and his assisters refused abstinence, unlesse the other partie restored the fortalices and castells which they had takin in time of the last abstinence.

A CONFLICT BETWIXT LEITH AND EDINBURGH.

Upon Saturday, the 16th of June, when Sir William Drurie was to depart, the rebels, under pretence of convoying him, brought furth all their forces, both on hors and foot, to ostentat their power, when now the Erle of Mortoun was lying bedfast in Leith, tormented with the cholick, and had sent away a band of souldiours to Dalkeith. Yitt he came furth, and arrayed all his companeis. When they were neere within halfe a myleto other, the Marishall of Berwick travelled betwixt the two parteis. When he had obteaned a grant to retire, there remained a controversie who sould retire first. The marishall desired, that when he, standing midway betwixt them, sould give a signe, they sould both at one moment turne their ensignes, and returne. Morton yeelded, for his forces were not so weill assembled as theirs. They had threatned to drive him in perforce, and to his shame, if he returned not willinglie, and skarse could be refrained.

The Erle of Morton judging that he had sufficiently contented the English marishall, could be stayed no longer; and the rather, because there were two peeces of great ordinance brought to the feild by the other partie. The marishall went out of the feild, and

so the parteis joyned, first the horsemen, and then the footemen of the rebells. After a slight encounter, the footemen fled. Morton and his companeis chaseth them in at the ports, and up the Cannogate. There were slaine about fiftie persons, and about a hundreth and fiftie takin. Alexander Lord Hume was hurt, and almost confounded with the fall of his hors. Gawin Hammiltoun, Abbot of Kilwinning, was slaine. Captan Cullane was takin in a poore woman's almerie in the Cannogate, where he had hid him self. Manie fled to the Abbey Yairds, and yairds of the Cannogate, and so escaped. Captan Wemes, fiercelie persuing at the Neather Bow, was shott, and died within ten dayes after. There was none slaine for the present but onlie a poore souldiour. The port at the Neather Bow was left without defence, for all fled up toward the castell. The towne might easilie have beene takin, but the souldiours were bent upon their prey, and it was now eight houres at night. They returned about ellevin houres at night; and, after exhortatioun made by the minister, and thanksgiving in the kirk of Leith, they went to their loodgings, and tooke rest. Morton had at this time in the feild three companeis of waged souldiours under the conduct of Captan Thomas Crawfurd of Jordanhill, David Hume of Fishick, Johne Hume, Blacader's sonne, and Captan Wemes. He had with him some voluntars of Leith and Edinburgh. He had with him Dumlanrig, Cesfurd, Coldingknowes, Aplegirth.

I find in a certane manuscript, that after it was concluded that Morton sould stay in Leith, and the regent to be sent for, and the walls of Leith repaired, and Captaine Lambie sent to Dalkeith with a band of souldiours, the rebels consult, whether they sall cutt off these who were going to Dalkeith, convoyed by Dumlanrig, Cesfurd, and Coldingknowes; or shew themselves at Leith; or make their musters in presence of the marishall. Morton suspecting they were come to cutt off the companie he had sent to Dalkeith, came furth to the sands with all his forces. In the meane time, Dumlanrig, Cesfurde, and Coldingknowes, returning, fell to pricking with the castell men. The Marishall of Berwick desired him to retire, seing he had takin assurance till

eight houres at night, and promised to move the other partie to retire. At his desire they retired. The other partie would not, but came fordward to the place where the other horsemen were. Then the other partie sent to Morton for moe horsemen, and a hundreth harquebusiers; but it was thought good, that the whole forces sould draw neere to the horsemen. The horsemen of the other partie stood betweene the Querrell Holes of Cragingate, and the Hawkehill, beside Restalrig; the foote men stood behind on the south side, upon a hill, called the Abbey Hill. Morton's horsemen stood on the Hawkehill. Morton came on foote from the Sands of Leith, neere to the rebels' horsemen, accompanied with the Lord Lindsey, the Tutor of Pitcurr, the Lairds of Wedderburne, Aitton, Swinton, Langton, Alexander Hume of Hattonhall, and manie others, to the number of three hundreth spears. Captan Hume with his souldiours was upon the one wing, Captan Crawfurd and his compunie on the other. In this order they marched till they were neere the part where the Lord Hume, Claud Hammilton, Phairnihirst, and Wormeston, were upon horsebacke. When Morton had yeelded to the marishall, to retire at the giving of the signe, providing the other partie retired likewise, Phairnihirst was so proud, he would not, except Mortoun retired first. All this time were they bussie bring[ing] furth artillerie. When it came in sight, convoyed by Huntlie, Hereis, Maxwell, Kilwinning, Coldinghame, then the Erle of Morton would heare no more of the marishall. The marishall went apart. Morton marching fordward, his horsemen drave Hume and Phairnihirst among their owne footemen, and then entered betweene the castell men and the hill, and stood there till Morton approached. Morton cometh fordward to the end of the long meddow. There were three shott of ordinance shott out of the castell, but did no harme. Then the parteis joyned together and shott. But, before they came to hand strokes, the rebels fled. Morton's horsemen pursued first after them. They were chassed in at the ports, and their ordinance takin. Captan Cullan, of whom we made mentioun before, had been a cruell oppressour in time of the civill warres. He reccaved money both from the King of Sweden

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and the King of Denmarke to wage souldiours, but deceāved both the one and the other. Great was the applause of the people when he was led, not long after, to executioun.

The day following, the 17th of June, which was the Lord's Day, Mr Alexander Gordoun, Bishop of Galloway, father brother to the Erle of Huntlie, had suche a sermoun in substance as followeth:—

"Good people, my text is this, of faith, hope, love, and charitie, writtin in the 13th of the Corinthians. For of faith proceedeth love, and of love charitie; which are the winges to hope, wherby all Christian men sould enter in the kingdom of heaven, where, I pray God, we might all goe. And this for the present.

"Now, brethrein, may I not speare at you, in what part of this poore realme is faith, hope, and charitie sett; and if they be authorized among the estats? Na, na, brether, na. Is faith or love among our nobilitie? Why then, how manie lords have subscrived their hand writts and their seales, or keeped their promise, ather upon their side or ours? Yea, few or none. But I will speeke neutrallie, for it is my part, seeing my brother's sonne and I am thrids of kin to the Lord of Morton. Is not their regent siclyke, and moe neere of kin? But, alace! how manie of us keepe faith and love one to another? Why then, lett us goe to the secund estat: Have the spirituality observed the precepts of ecclesiasticall order, conforme to their first institutioun; or have not our ministers not altered from the last order sett out, after the reformatioun of the kirk? Or then, the thrid estat: Is there faith and love among your burgesses in buying or selling their waires, or borrowing and lending one with another? Yea, if I would digresse, I doubt not but faith and love is left in Machline, in the wood of Hardheids, where manie of your merchants leave their faith.

"But, alace! brethrein, the onlie caus of this is, particularitie, which hath beene the greatest occasioun that hath caused this poore countrie declyne from their soveran, the queen's Majestie, our onlie mistresse, who now remaineth in England; but not prisoner, as they have made you to beleeve. For I will assure you, and I may say it, for I have seene it, being commissioner there for the lords of her

factioun. Wherefore, I would wishe you not to be abused; for this I will take upon my conscience, yea, and upon my honour, that she is better treated, better nourished, yea, reverenced and authorized more in England in one day, nor she was in Scotland in a yeere; and licenced to hawke and hunt, and use sindrie other pastymes, as pleaseth her.

"Albeit our ministers have altogether forgett her, and are not willing to pray for her, yitt I would wishe you, inhabitants of Edinburgh, to send for your ministers, and caus them pray for the queene; for they sould pray for their lawfull magistrat whatsomever. For this I may say, she is a lawfull magistrat, seing her father was a lawfull king, and her mother likewise an honorable princesse, and she borne in lawfull bed. This for the prooffe of my argument, that she ought to be prayed for. If we sould not pray for sinners, for whom sould we pray; seing that God came not to call the righteous, but sinners to repentance? Sanct David was a sinner, and so is she: Sanct David was an adulterer, and so is she: Sanct David committed murther in slaying Uriah for his wife, and so did she. But what is this to the mater? The more wicked she be, her subjects sould pray for her, to bring her to the spirit of repentance; for Judas was a sinner, and if he had beene prayed for, he had not died in despaire. Wherefore, I pray all faithfull subjects to pray for their lawfull magistrat, if it be the queen. It is the queen as I doubt not. But yee may weill consider, that no inferiour subject hath power to deprive or depose their lawfull magistrat, he or she whatsomever, albeit they committ whoordome, murther, incest, or anie other crimes, being once by God just and lawfull prince or princesse to raigne above you: not chosin, as the imperiall magistrats are. Yea, and further, Was she ever excommunicated by the order of our kirk? If so be, just caus had we not to pray for her; and albeit she were, we ought to pray for her, and all other sinners, to bring her to the spirit of repentance. But manie of our ministers are too ceremonious at this present; for I remember my self, at the beginning of our religioun, when I taught ather in this pulpit, or the pulpit besides, we would have beene glade to have had

the masse heere, and the preaching there. And, brethrein, when I stood with the stole about my necke, how manie bishops abode, or bare the burthein on their backe then, but I? But now our ministers are growin so wantoun, and so ceremonious, that they will not pray for their lawfull heretrix, who hath permitted them suche libertie of conscience, that they may use what religioun they please. And if we pray not for sinners, for whom, then, seing the just have no need of amendment? Or if we be not sinners, Who may say he will cast the first stone at the woman being takin in adulterie? Is it my Lord of Morton upon their side? Is it my Lord of Argile upon our side? Or is it we ministers? Nay, brether, nay, for I confesse myself, yea, this foule carcase of myne, to be the most vile carion, and altogether givin to the lusts of the flesh; yea, and I am not ashamed to say, the greatest trumper[1] in all Europ, untill such time as it pleased God to call upon me, and make me one of his chosin vessells, upon whom he hath powred the spirit of his Evangell. And as candles are lighted, and sett upon high places, so sall I show the gifts which God hath givin me among you. God illuminate your hearts to receave the same; for if Manasses had not been prayed for, he had not beene brought to the spirit of repentance. One word or two, and so I will beteeche you to the merceis of God.

"Brethrein, at after-noone I will be occupied with some other bussinesse: but, upon Wednesday and Fryday I sall take some paines to open the rest of this text. And becaus I know my self not so worthie as they who have occupied this place before, I beseeke you, brethrein, send for your ministers, and I sall take the paines with them to travell, to see if we can pacifie the insatiable mindes of our brethrein who goe about like lyons, to sucke out the blood of their brethrein. And seing God blesseth the peacemakers, lett us see if we can be the instruments to bring the nobilitie to concord, with faith, hope, and charitie. But, alas! where was charitie yesterday among us? not where it sould be, conforme

[1] Trumper means particularly a deceiver or cheat, and generally a worthless fellow.

to the words of my text. And so, I beteeche you to the mercie of God."

THE REGENT RETURNETH TO LEITH.

The regent being advertised by post of the last skirmishe, came with all speed to Leith, upon the 17th day of June, and caused fortifie the toun. These who were at the skirmish were dismissed; and others, obedient to the king's authoritie, came, and lay quarterlie, by course, at Leith.

OLD DUMLANRIG TAKIN.

Upon Saturday the 23d of June, old Dumlanrig was takin, as he was riding home for some bussinesse betwixt him and the Lord Hereis, and others who were at variance. The Lord Hereis appointed to meete him at the same place where the Laird of Wormeston lay waiting for him. Young Dumlanrig and Applegirth escaped narrowlie.[1] This same day, or the day before, there came from Flanders a shippe, wherin were three kists of callivers, foure or five last of powder, and some money.

THE QUEEN'S GOLD TAKIN.

Upon the last of June so muche gold as the queene might spaire of her dowrie out of France was found by the diligence of the Lord Lindsey, in a coffer, brought home by Johne Chisholme, which arrived at the Wemes. In it were found also a last of powder, five hundreth hacquebutts and culverings.

[1] Old Dumlanrig not being certain whether his son had escaped or not, sent to him the following singular epistle: "Willie, Thow sall wit that I am haill and feare. Send me word thairfoir how thow art, whether deid or livand? Gif thow be deid, I doubt not but freindis will let me know the treuth; and gif thow be weill, I desyre na mair," &c.—He showed this letter to his captors, that they might be sure it contained no treason; and to save his purse, he sent it with the letter, desiring the messenger to deliver it to his son.

THE CHALLENGES CONTINUED BETWIXT GAIRLEIS AND GRANGE.

Alexander Stewart of Garleis, younger, sent this day an answere to Sir William Kirkaldie's reply. The contents of the reply, dated the 25th of June, may be gathered by the answer. He proveth his treasons by the notorietie of them to all men; his owne handwritts compared with his contrarious deeds, and, therefore, the lawes of the countrie sould punishe him, speciallie, that he fortified and assisted, and joyned with them who fortifie and assist the persons suspected and knowne culpable, and forfaulted by the law, for the horrible murthers of umquhile our soverane lord's father, and of umquhile the Erle of Murrey, late regent, and that he had diverse of them presentlie in the castell of Edinburgh: that he sett the wairders and prisoners committed to his custodie within the castell, for suretie of the king's estate, at libertie, soone after the murther of the late regent, his owne maister, which was the verie caus of staying the punishement therof: that he brake the king's prison of the tolbuith of Edinburgh, treasonablie, taking furth a man who had committed recent murther; and discharged the ordinance of the castell, to the terrour and harme of the inhabitants of Edinburgh: that he had used the said castell, and the king's ordinance and munition therin, to an other use and end than they were appointed, when it was committed to his trust, against his faith and promise: that he mainteaned and now mainteaneth open robbers, native theeves, and commoun breakers of the peace with England: that he hath sold a part of the king's munition and stuffe which was within the castell, and prodigallie consumed a part, to the destruction of the king's subjects: that he had made shamefull defectioun from the king, to whom he professed obedience, and suffered the authoritie of his mother, a murtherer of her owne husband, and an enemie to the true religioun, to be erected in Edinburgh: that he betrayed not onlie the king, and suche noblemen and subjects as he joyned with, in the actioun for revenge of the murther, and maintenance of the king's authoritie, but also had betrayed the toun

of Edinburgh, and the inhabitants therof, under colour of freindship and league betwixt him and them, in the king's name, their libertie oppressed by his tyrannie and treasoun: that he and his confederats had procured their trade beyond sea to be restrained, drivin their honest nighbours to exile, spoiled them of their goods, and exposed them to the searche of licentious souldiours; discharged them from bearing of armes; garnished the ports and walls of their toun with souldiours; had made their kirk patent to excommunicats, their house of justice a denne of theeves, and receptacle of souldiers. He offereth to meet him hand to hand, on hors or foote, armed with jacke, speare, steele bonnet, sword and whinger, in the Gallowlee, upon the west side of the high way betwixt Leith and Edinburgh, upon the thrid day of Julie nixt, by nyne houres before noone, where none sall meddle in the querrell but themselves. And wheras he bragged that he and his progenitors were gentlemen of blood and armes, he sayeth that the order and time of his advancement was so weill knowne, that there needeth no other answere, but to rander again shortlie his shamelesse lees in his owne throat. In end, he protesteth, that this his answere, by way of challenge, prejudge not the processe to be led in forme of law against him for his manifold treasouns; nor his honour, being knowne for an ancient and undefamed hous, in comparing himself to so notorious a tratour, who of justice, and by law of armes, ought not to be receaved to suche justification.

Sir William Kirkaldie replied the first of Julie: Garleis, younger, returned answere the secund of Julie. He offered to prove all the points of the former cartell. Whereas Grange alledged, that the place appointed was not neutrall or unsuspect, by reason of the charge he had of the castell, he answered, that it was within shott of the cannon, and farther offered to send him before their medling a band of my lord regent's Grace, and of the rest of the noblemen who were in Leith, that during the time of their medling there sall nothing be attempted by them, or anie of theirs, against him or his assisters; requiring the like of him and his. Whereas he craveth three to be entered in the castell for his sovertie, howbeit it was a

shift, he offereth to gett three equall in degree of blood and rent with himself, requiring the like again for suretie of him and his assisters, during the time of their said medling. Whereas he querelleth him for speeking unreverentlie of a princesse, he answereth, he ought to give him no compt thereof: that he hath spokin môre of that mater himself nor he had done; and that he had greater caus to be sorrowfull, that he had suche occasioun nor he had.

Sir William Kirkaldie of Grange sent an answere upon the fyft of Julie. He requireth that immediatlie two freinds of his might meet, upon assurance, with two gentlemen of the other partie, to conferre and agree upon all things for bringing their medling shortly to passe: that he had directed the Laird of Pittadrow, and young Pittadrow, with power to condescend upon the day and place of the combat; and to offer sufficient securitie for his partie, and to him and certane gentlemen that sould accompanie him to the place, to see that he be uprightlie dealt with all: that Andrew Ker of Fadownside and Captane Crawfurd will beare record, that they had offered all measure in his name. Yitt seing he understandeth, by a ticket directed from them yesternight to the Lairds of Pittadrow and Dryla, that he requireth his offers to be sent in writt, he will satisfie him in that behalfe. Wheras he might refuse to fight with him, in respect of manie circumstances depending upon his person, in that he was degenerated from the ancient state of his hous, and his blood stained, in that one of the principall branches of his hous was a preest's daughter; wheras, on the contrare, it sall not be found that anie of his branches of anie continuance have beene other than gentlemen, without matching ather with preest or merchant, yitt sould not that consideration stay him to mainteane his honour against his unjust challenge. He telleth him how that his freinds forsaid had commissioun to agree upon a certane day, to witt, the 25th of Julie, upon the ground the barresse be-west the West Port of Edinburgh, the place accustomed, and of old appointed, for triell of suche maters: that none come with him neere the place, but twelve gentlemen, to see he gett no wrang; and that he sould, before their meddling, send him his owne band, and the

band of the noblemen for his owne partie, that during the time of their medling, there sall be nothing attempted against him and the twelve gentlemen in his companie, but that which sould be done betweene themselves onlie: that seeing he was the defender, and in respect of the charge of the hous whereunto he was bound, and whereupon so great things depended, being the principall fortresse of the realme, and in respect of the time, he was compelled to sticke upon manie things farther than he would otherwise have done; and, therefore, the choice of the place sould rather be his, he making the same securitie which the other offered. Farther, that his freinds were desired to crave, that all maner of armour, with horse, and other things necessar for the combat, be suffered to be convoyed to him without impediment. As to the armour, he biddeth him provide and bring with him a horse, a steele bonnet, a jacke, plait sleeves, speares, a sword, a dager, a corslett, a murrion, a picke, a two-handed sword, a paire of gantlets, two sword stripes, or plaits for the thighes and legges; and when he sall come to the feild, he sall prescrive to him according to his priviledge, whither they sall fight armed or unarmed, on horse or on foote, or what armes they sall use, and he sall use the like, and no other. Last, seing he is the person that is sent out by the Erle of Lennox and his adherents, as their campioun, to tak the querrell in hand, he requireth, that they would allow him, under their hand-writts, to be their campion in that querrell, and oblishe themselves to acknowledge the wrang done to him by slandering him by writts, proclamations, and speeches, and be content to repaire his honour accordinglie, in forme as effeires, in cace he obteaned the victorie.

Garleis, younger, sent an answere from Leith, upon the 10th of Julie. First, He offered to verifie, that he not onlie professed and avowed obedience to the king's authoritie, but also had writtin, named, and acknowledged the Erle of Lennox, his Highnesse' goodsir, as regent of the realme: That the regent, prohibiting, by proclamation, menne of warre to serve him, did nothing but that which the preservation and weale of the king required, seing his Grace had found by his letters apprehended in Dumbartane, a

prooffe of his foresuspected treasoun; and that his treasonable interprise then kithed in deed, in raising of menne of warre against the lawes of the realme, beyond the bounds of his proper power and charge. He layeth to his charge, that he vainlie and presumptiously usurped to counterpace the king's proclamatioun; and in words, to mak himself, a man of base condition, equall to his Highnesse' goodsir, tutor, and regent. Where as he desireth to understand, whether he be sett furth as a campion for the rest, he letteth him understand that he tooke upon him, onlie as a true gentleman undefamed, to answere to his generall cartell; and that an hundreth gentlemen of blood and armes are readie to make the like offer, if they saw likelihood on his part to performe. Wheras, now, he alledged some circumstances depending upon his persoun, he made no mention of them in his first bragging cartell, becaus, then, appearandlie, he looked not to find a matche. In that cartell he made no exception of persons of high or low degree; howsoever now, it pleaseth him to write of his mother's father, called Dumbar, alledging that he matched with a preest's daughter. That woman which he meant had brought in more old inheritance to him and his hous, than he had in propertie of anie lands holdin of the kings of this realme. In that he was not content of the neutrall place, and offer of the three hostages, but appointed the barresse by-west the West Port of Edinburgh, it appeared to the world that he sought but subterfuges and delayes. What reasoun or equalitie is there, that twelve gentlemen sall be present onlie in the time of the medling, without prescription of the number upon his part? What securitie can be in the place, lying under the power of the castell, and neere to Edinburgh, filled with souldiours raised under his trust? What suretie can there be in his band, who had violated his band and subscription of obedience to the king? As for the regent, he had nothing to doe with him, but by just execution of paines of the lawes for his manifest treasons. Yitt, againe, he offereth to meet him hand to hand, in a place neutrall, or equallie distant betwixt Leith and Edinburgh, anie day betwixt and the 25th of Julie, or the same day if it please him; and sall enter hostages, for the suretie of these that sall ac-

companie him, as he sall doe to him; and sall bring with him suche armour as he specifeid in his last cartell; and sall arme himself as he sall prescrive, the armour being equall: that he sall procure his armour, horse, and other things necessar, to be suffered to be convoyed to him without impediment. If he receave not a direct and resolut answere in writt, betwixt and the 15th day of this instant, then he will looke for no farther answere.

Sir William Kirkaldie gave a shifting answere; wherunto Gairleis replyed the 12th of Julie, wherin he telleth him, that he hath condescended to all his prescrived devices, saving onlie the place equall and indifferent, with equall number of attenders. Therefore, he taketh his last letter as a refusall of his cartell, and as a confession of his owne treasonable turpitude.

A FRENCH SHIP WITH MUNITION SEAZED UPON.

Upon Wednesday, the 4th of Julie, there arived at Leith a Frenche ship, with manie hacquebutts, culverings, croslets, and some money, which the regent caused seaze upon. Drumquhassil, without knowledge of the regent and counsell, caried up the water to Stirline a number of the croslets, hacquebutts, and callivers. The captan and his adherents sent to the Queen's Ferrie, and intercepted them, tooke Drumquhassil's boat, and brought with them so manie croslets and callivers as they were able to carie.

THE BRAVADE OF THE BURGESSES.

Upon Saturday, the 7th of Julie, the inhabitants of Edinburgh, about three hundreth or foure hundreth men, with their new bailliffes, went out of the toun toward Leith, having two ensignes, Patrik Thomson bearing one, and a taylour, called Dewar, another. But when these who were in Leith came furth they retired. The captan of the castell shott three or foure shott of cannon, whether to annoy the other partie, or to signifie his contentment for the going furth of the burgesses, it is uncertane. These who were in the

steeple head discharged their double falcoun, which they had baptized Knox, at these who came out of Leith; but it brake in peeces, and slue two standing beside, and hurt others.

THE ABBEY ASSAILED.

Upon Tuisday, the 10th of Julie, the souldiours of the toun came furth about Mowtrayes on the hill, on hors and foote, and, in the meane time, the inhabitants of Edinburgh came out at the Neather Bow, to assault these that were in the Abbey; but were mett and chassed in again by Captan Mitchell's souldiours. Upon Fryday, the 13th, they went out again to the Abbey, and by opening a little wicket at the utter port of the Abbey, they were trained in to the closse, where two or three of them were slaine, and sundrie hurt.

THE REBELS SUMMONED TO THE PARLIAMENT.

This same day, the lords sent a copie of the summouns, with the names of these who were to be summouned to the parliament, to Captan Mitchell, desiring him by some meanes to have it convoyed to the toun. The same night, after the skirmishe, the captan sent his owne page with the summons to the port, who fained he came from Phairnihirst with letters. They opened, supposing he would have entered. But after he gave the letters to the first he met with, he ranne backe again, calling them tratours, and said it was a copie of the summons, which they sould give to the lords. They came out in anger, to overtake him, but Captan Mitchell having a certan companie attending upon him, drave them in again. Upon the morne, at five houres in the morning, the said captan, with a clerk appointed, proclamed the said letters at the croce of the Cannogate, in their despite, having certan harquebussiers lying above, betwixt and the Neather Bow.

SOME BURGESSES TROUBLED.

Captan Cullan was beheaded the 17th day.[1] The same day; or the day preceeding, the Lord Lindsey was sett at libertie, for a summe of money. The day following, Robert Cunningham, Johne Heriott, Mungo Fairlie, Thomas Browne, burgesses of Edinburgh, were apprehended and accused for bringing in of the English in Scotland, for burning of Hammiltoun, and other houses in Brechin, and beseiging the toun in time of parliament. Three came in will; but Robert Cunningham refused, and therefore was condemned by an assise of Liddisdaill men for the most part.

THE REBELS' PURSEVANT MISUSED AT JEDBURGH.

About this time a pursevant was sent from the lords in Edinburgh to Jedburgh, to proclame the new erected authoritie. He was suffered to read his letters, till he came to this point, that the lords assembled in Edinburgh had found all the proceedings against the queene null, and that all men sould obey her onlie: then the proveist caused the pursevant come doun from the croce, and eate his letters; therafter, caused loose doun his points, and give him his wages upon his bare buttocke, with a bridle; and threatned, that if ever he came again, he sould lose his life. Phairnihirst threatned the toun, but they gave him the defiance.

FRAGMENTS OF MR KNOX HIS LETTERS.

Mr Knox, in a letter dated the 19th of Julie, and sent to a familiar freind, hath these words:—"What order God sall putt into

[1] To this passing event, the author of the "Historie of King James the Sext" attaches a piece of the current scandal of the period, "Capten Cullayne was hanged in Leyth, and his death was hasted be Mortoun, the end he might the mair frelie enjoy the favour of his fayre wyff."—Morton's profligacy in this and similar cases was so notorious, that the Bishop of Galloway made no scruple to allude to it in his sermon.

the minde of the authoritie, to tak for staying of thir present troubles, I know not. But ever still my dull heart feareth the worst, and that, becaus I see no appearance of right conversioun to God, but that both parteis stand, as it were, fighting against God himself, in justificatioun of their wickednesse: the murtherers assembled in the castell of Edinburgh, and their assisters, justifeing all that they have done to be weill and rightlie done, and the contrare partie als little repenting the troubling and oppressing the poore kirk of God as ever they did. For if they can have the kirk lands to be annexed to their houses, they appeare to tak no more care of the instructioun of the ignorant, and of the feeding of the flocke of Jesus Christ, than ever did the Papists, whom we have condemned, and yitt are worse ourselves in that behalfe. For they, according to their blind zeale, spared nothing that might ather mainteane or hold up that which they tooke for God's service; but we, alas! in the middest of the light, forgett the heaven and draw to the earth." In another letter, dated at Sanct Andrewes, about the same time, and sent to Mr Gudman, he hath these words: "From the castell of Edinburgh have sprung all the murthers first and last committed in this realme; yea, and all the troubles and treasons contrived in England. God confound the wicked devisers, with their cruell vices. So long as it pleased God to continue me in anie strenth, I ceassed not to forewarne these dayes publictlie, as Edinburgh can witnesse; and secreetlie, as Mr Randolph, and others of that nation with whom I secreetlie conferred, can testifie. Remedie now on earth resteth none, but onlie, that both England and Scotland submitt themselves to the correcting hand of God, with humble confessioun of their former disobedience, that blood was not punished when He, by his servants, publictlie craved justice, according to his law. In which head your realme is no lesse guiltie than we, who now drink the bitter part of the cuppe, which God of his mercie avert from you."

THE UNDER-MARISHALL OF BERWICK CRAVETH ABSTINENCE, &c.

Upon the 24th of Julie, the Under-Marishall of Berwick came to Leith to seeke abstinence from armes, and the parliament to be suspended, saving onlie, for nominating commissioners on both sides, to meete the English commissioners at Berwick about the fyft or sixt of August, to treat of all controverseis.

SKIRMISHES.

There were sindrie skirmishes upon the secund and thrid of August. In the time of the skirmishes, the castell never ceassed from ringing of cannons; yitt the bullets lighting among the companeis did no harme.

Mr George Buchanan his admonitioun directed to the lords, mainteaners of the king's authoritie, was imprinted at Stirline by Robert Leckprevick, about this time, or at least this yeere, before the holding of the parliament; the tenor wherof followeth:—

AN ADMONITION TO THE TRUE LORDS. M. G. B.

"It may seeme to your lordships that I, medling with high maters of governing of commoun wealths, doe passe myne estat, being of so meane qualitie, and forgett my duetie, giving counsell to the wisest of this realme. Notthelesse, seing the miserie so great appearing, and the calamitie so neere approaching, I thought it lesse fault to incurre the crime of surmounting my privat estat than the blame of neglecting the publict danger. Therefore, I choosed rather to underly the opinioun of presumption in speeking, than of treasoun in silence; and speciallie of suche things as even seeme presentlie to redound to the perpetuall shame of your lordships, destruction of this royall estat, and ruine of the whole commoun wealth of Scotland. Upon this consideratioun, I have takin in hand, at this time, to advertise your honours of suche things as I

thought to apperteane both to your lordships in speciall, and in generall to the whole communitie of this realme, in punition of tratours, pacification of troubles among your selves, and continuation of peace with our nighbours, of the which I have takin the travell to write, and doe remitt the judgement to your discretioun; hoping, at least, that although my witt and foresight sall not satisfie you, yitt my good will sall not displease you.

"Of which advertisement the summe is this:—First, To consider how godlie the actioun is you have in hand, to witt, the defence of your king, an innocent pupill, the stablishing of religioun, punition of theeves and tratours, and maintenance of peace and quietnesse among your selves, and with forrane natiouns. *Item*, Remember how yee have vindicated this realme from the thraldome of strangers, out of domestick tyrannie, and out of publict dishonour, in the sight of all forrane natiouns; we being altogether esteemed a people murtherers of kings, impatient of lawes, and ingrate in respect of the murther of the late King Henrie, within the walls of the principall toun, the greatest part of the nobilitie being present with the queene for a time: and by your power, one part of the cheefe tratours was tried from among the true subjects, wherby strangers were constrained, afterward, als muche to praise your justice, as of before they wrongouslie condemned your unjustice. *Item*, Remember how farre, in doing the same, yee have obliged your selves before the whole world, to continue in the same vertue of justice; and what blame yee sall incurre if yee be unconstant. For all men can beleeve no otherwise, if the time following be not conforme to the time past, that nather honour nor commoun wealth stirred you up then, but rather some particular tending to your privat commoditie. Also remember how manie gentle and honest meanes yee have sought in times past to caus the king be acknowledged, and the countrie putt at rest; and how profitable hath beene your honestie in treateing, your valiant courage in warre, your mercifulnesse in victorie, your clemencie in punishing, and facilitie in reconciliatioun. Which things witnesse sufficientlie that yee esteemed no man enemie who would live in peace under the king's

authoritie: that yee were never desirous of blood, geir, nor honour of suche as would not rather in making of trouble and seditioun declare themselves enemeis to God and the king's Majestie, than live in concord and amitie with their nighbours, under the correctioun of justice. And since yee can nather bow their obstinate hight with patience, nor mease[1] their stubburne hearts with gentlenesse, nor satisfie their inordinat desires otherwise than with the king's blood and yours, the destruction of religion, banishing of justice, and free permissioun of crueltie, your wisdoms may easilie consider what kinde of medicine is not onlie meet, but also necessar, for mending of suche a maladie.

"And to the effect that yee may the better consider this necessitie of medicine, remember what kinde of people they are that professe themselves in deed, and dissemble in word, to be enemeis to God, to justice, and to you, becaus yee mainteane the king's actioun. Some of them are counsellers of the king his father's slaughter, some convoyers of him to the shambles; who slue his grandsir, banished his father, and not satisfied to have slaine himself, murthered the king's regent, and now seeke his owne blood, that they may fulfil their crueltie and avarice being kings, which they beganne to exercise the time of their governing. Others are, who being allyed, not neere of kin, to the Hammiltons, thinke to be participant of all their prosperitie and successe. Others being guiltie of King Henrie's death, in the first parliament holdin in the king's raigne that now is, could weill accord that the queene sould be putt to death also. And seing they could not obteane that point, the nixt shift of their impietie was to putt doun the king, that he sould not rest to revenge his father's death; which they thought could not be more easilie done than by bringing home the queene, with suche a husband who, ather for old hatred or new covatice, would desire the first degree of successioun to be of his owne blood. Some others are practized in casting of courts, and revolving of estats, by raising of civill warre, and are become richer than ever they hoped. And becaus they have found the practise so good in time past,

[1] Settle, calm.

now they seeke alwise to continue it; and having once gusted, how good fishing it is in drumlie waters, they can by no meanes leave the craft. Others of that factioun are, some Papists, some fained Protestants, who have no god but geare, and desire again Papistrie, not for anie love they beare to it, (for they are scorners of all religioun,) but hoping to have the promotioun of idle belleis to benefices; and lament the present estat, where (as they say) ministers gett all, and leave nothing to good fellowes. And to this intent they would sett up the queen's authoritie, say they. Some there be also, who, under colour of seeking the queen's authoritie, thinke to escape the punishment of old faults, and have licence, in time to come, to oppresse their nighbours who be feebler than they.

"Now have I to shew you by conjecture, what fruict is to be hoped of an assemblie of suche men as, for the most part, are of insatiable greedinesse, intolerable arrogancie, without faith in promise, measure in covatice, pitie to the inferiour, obedience to the superiour; in peace desirous of trouble, in warre thristie of blood; nourishers of thift, raisers of rebellioun, counsellers of tratours, inventers of treasoun; with hand readie to murther, minde to deceave, heart voide of truthe, and full of felonie, tongue tramped in deceate, and word tending to false practise without veritie. By which properteis, and manie others therunto joyned, as is knowne to all men, yee who understand their beginning, progresse, and whole life, may easilie remember to whom this generall speeking apperteaneth in speciall. And it is not unknowne to suche as know the parteis, how they are melled with godlesse persons; Papists, hatlott Protestants, commoun brybers, holie in word, hypocrits in heart, proud contemners, or Matchiavelian mockers of all religioun and vertue, bloodie boutchers and open oppressers, fortifiers of theeves, and mainteaners of tratours. It is also necessarie to your lordships to understand their pretence, that if it be a thing may stand with the tranquillitie of the commoun weale, your lordships may in some part rather condescend to their inordinat lust, than putt the whole state in jeopardie of battell. First, it is not honour, riches, nor authoritie, that they desire; for they have had, and als have pre-

sentlie, and may have in time to come, such a part of all these things as a privat man may have in this realme, not being chargeable to the countrie, or not suspected to a king, as unassured of his owne estate. It is not the deliverance of the queene that they seeke, as their doings contrare to their word manifestlie testifie. For if they would have her delivered, they would have procured by all meanes possible the Queen of England's favour and support, in whose power the whole recoverie stood onlie; and not offended her so highlie as they have done, and daylie doe, in participatioun of the conspired treasoun, to putt her Majestie not onlie out of her state, but out of this life present: not in receatting and mainteaning her rebels, contrare to promise, and solemne contract of pacificatioun betwixt these two realmes; nather yitt have hounded furth proud and uncircumspect young men to herry, burne, and slay, take prisoners in her realme, and use all misorder and crueltie not onlie used in warre, but detestable to all barbarous and vile Tartars, in slaying of prisoners; and, contrare to all humanitie and justice, keepe no promise to miserable catives receaved once to their mercie. And all this was done by commandement of suche as say they seeke the queen's deliverance, and reproached to them by the doers of the mischeefs, saying, that they entered them in danger, and supported them not in mister,[1] so muche as to come to Lawer, and looke from them. In which deserting of their collegues, they show crueltie joyned with falsehood, and most high treasoun against the queene, pretending in word her deliverance, and stopping in worke her recoverance; the which, as everie man may cleerlie see, they sought, as he that sought his wife drowned in the water, against the streame. It is not the queen's authoritie which they would sett up in her absence: for if that were their intentioun, whom can they place in it more friendlie to her than her onlie sonne; or what governours can they putt to him lesse suspected than suche men as have no pretence of successioun to the crowne, or anie hope of profite to come to them after his death; or these that ever have beene true servants to kings before him? Sould they not be preferred to

[1] Necessity.

his paternall enemeis, yea, and slayers of his father, and soliciters of strangers to seeke his innocent blood?

"What, then, sall we thinke that these men seeke under pretence of the queen's authoritie, seing they cannot bring home the queene, to sett up her, nor will not suffer the king, lawfullie inaugurated and confirmed by decreet of parliament, to bruike it, with so manie of his tutors, chosin by his mother, as are not to be suspected to will him harme? I trust it is not uneasie to perceave, by their whole progresse now presentlie, and in time bypast, that they desire no other thing but the death of the King and Queene of Scotland, to sett up the Hammiltons in authoritie, to which they have aspired by craftie meanes these fiftie yeeres agoe. And seing their purpose succeedeth not by craftie and secreit meanes, now they follow the same trade, conjoyning to falsehood open wickednesse.

"And that yee may see what meanes they have used these fiftie yeeres bypast, to sett up by craft this authoritie which now they seeke by violence, force, and treasoun, I will call to your memorie some of their practises, which manie of you may remember als weill as I. First, after the death of King James the Fourth, Johne Duke of Albanie, chosin by the nobilitie to governe in the king's lesse age, the Hammiltons thinking that he had beene als wicked as they, and sould, to his owne advancement, putt doun the king, being of tender age for the time, and by the deceasse of his brother left alone, and that they would easilie gett their hand beyond the duke, being a stranger, and without successioun of his bodie, held them quiett for a seasoun, thinking that other men's actiouns sould be their promotioun.' But seing that the duke, as a prince both wise and vertuous, to bring himself out of suspicioun, putt foure lords, esteemed of the most true and vertuous in Scotland at that time, to attend upon the king's Grace, to witt, the Erle Marshall, the Lord Areskine, Ruthven, and Borthwick, the Hammiltons being out of hope of the king's putting doun by the Duke of Albanie, and out of credite to doe him anie harme by themselves, made a conspiracie with certane lords to putt the said duke out of autho-

ritie, and take it on themselves, that, all things putt in their power, they might use the king and realme at their owne pleasure. To that effect they tooke the castell of Glasgow, and there made an assemblie of their factioun, which was dissolved by the hastie comming of the Duke of Albanie with an armie, for feare of which the Erle of Arran, cheefe of that companie, fled to his wife's brother, the Lord Hume, being then out of court. The secund conspiracie was after the duke's last departing, (the forsaids lords separated from attending on the king,) devised by Sir James Hammilton, bastard sonne to the said Erle of Arran, who conspired the king's death, then being in his hous, in the Abbey of Halyrudhous. Which conspiracie, after many yeeres reveeled, the said Sir James suffered death for it.

"This conspiracie not being executed, Sir James persevered in his evill intentioun, and, by secreit meanes in court, sought alwayes that the king sould not marie, that for laike of his successioun, the Hammiltons might come to their intents. For the king was young, lustie, and readie to adventure his persoun to all hazards both by sea and land, in doun putting of theeves, and up setting of justice. The Hammiltons looked on when sicknesse, through excesse of travell, or some other racklesse adventure, sould cutt him off without childrein. And, destitute of this hope, first he stopped the king's meeting with his uncle, the King of England, who at that time having but one daughter, was willing to have maried with the King of Scotland, and made him king of the whole ile after him, and to have entered him at that present time in possessioun of the dutchie of Yorke. But the said Sir James ever having eye to his own scope, hindered this purpose by some of the king's familiars, with whom he had practised by gifts, and speciallie by the Bishop of Sanct Andrewes, James Beton, uncle to the Erle of Arran's mother, and great-uncle to Sir James his wife; and raised suche suspicioun betwixt the two kings as brought both realmes in great bussinesse. This purpose, as said is, putt abacke, the king seing that his ambassaders furthered not at his pleasure, delivered himself in persoun to goe by sea to France: and Sir James Hammil-

ton persevering in his intentioun, went with him, to hinder his mariage by all meanes he might. And to that effect, the king sleeping in the ship, without anie necessitie of wind and weather, Sir James caused the mariners to turne saile, off the west coast of England, backeward, and land in Galloway, where the king was verie miscontent with Sir James, and Mr David Panter, principall causers of his returning, as diverse who were in the ship living can report. And frome that time furth, the king having tryed out his pretence, and perceaving his unfaithfull dealing, ever disfavoured him, and to his great displeasure favoured openlie the Erle of Lennox and his freinds in his absence; the which erle pretended a right and title to the whole erledome of Arran, the present erle for that time being knowne to be a bastard. As also, it was in men's recent memoreis, how Sir James Hammilton had cruellie slaine the Erle of Lennox at Linlithquo. So the king, as said is, understanding the privat practick of Sir James, in keeping him unmareid, hasted him the more earnestlie to marie, to the effect that his successioun might putt the Hammiltons out of hope of their intent, and him out of danger by the Hammiltons. And albeit that Sir James, to make himself cleane of that suspicioun, sought manie diverse wayes to the destruction of the Erle of Arran his brother, yitt he could never conqueisse the king's favour, untill finallie he was executed for treasoun, and tooke a miserable end, conforme to his ungodlie life.

The king at last deceassed; and leaving a daughter of six dayes old, the Hammiltons thought all to be theirs; for then the Erle of Arran, a young man of small witt and great inconstancie, was sett up by some of the nobilitie, and some familiar servants of the king, latelie deceassed: for they thought him more tolerable than the Cardinal Beton, who, by a false instrument, had takin the supreme authoritie to himself. The Erle of Arran, named governour by a privat factioun, and favoured by so manie as professed the true religioun of Christ, becaus he was beleeved then to be of the same, howbeit he was gentle of nature, yitt his freinds for the most part were greedie both of geir and blood, and givin to injustice where

gaine followed. There was in his time nothing ellis but warre, oppressioun, and brybing of his called brother, the Bishop of Sanct Andrewes, so that all the estats were weareid with him, and discharged him of his office, and charged with it a woman stranger. In the beginning of his governement, the queene and her mother were keeped with him rather like prisoners than princesses. But yitt that incommoditie was caus of preserving of the queene's life, he beleeving to marie her on his sonne. But after the Erle of Lennox had delivered her out of his hands, and the nobilitie had refused to marie her to his sonne, howbeit he left his firme freinds, and came to the queene, abjured his religioun in the Greyfriers of Stirline, yitt he could never come againe to his pretended climming to the crowne which he had sought, partlie by favour of suche of the nobilitie as were allyed with him, and partlie by destruction of the ancient houses which might have putt impediment to his unreasonable ambition. For having banished the Erle of Lennox, he thought the Erle of Angus to be the principal which might resist him. And having entered in waird Sir George Dowglas, to be yitt more assured, he sent for the said Erle of Angus in freindlie maner, and putt him in prisoun without anie just occasioun, and would have beheaded them both, if the ariving of the English armie had not stayed their purpose; by the which, and feare of the murmure of the people, he was constrained to deliver them. And seing he durst not at suche a time putt them doun by tyrannie, he offered them to the sword of the enemie, to be slaine by them. And to the effect, that they and their freinds having putt abacke the English horsemen, and receaving another charge, might be the more easilie slaine, they, standing in battell, and fighting for him, he, in the battell behind, fled to tyne them. And so, these noblemen, so farre as lay in him, were slaine, and preserved by the providence of God. The young queene who, being in her mother's keeping, he might not putt doun, nor marie at his pleasure, he consented to offer to the stormes of the sea, and danger of enemeis; and sold her as a slave in France for the dutchie of Chatterault, the which he bruiketh in name onlie, as the crowne of Scotland in

phantasie; and receaved suche price for her, as treasoun, perjurie, and the selling of free persons, sould be recompensed with.

"But yitt, the covatice of the crowne which he had sold ceassed not heere; for before her returning out of France, and the repressing of the Frenchemen, and tyrannie against the religioun, how manie meanes sought the Hammiltons to have deprived her of all right, and translated the crowne to themselves, is knowne both to Scotland and England. Also, after the queen's arrival in Scotland, she, seeking a querell against the said duke, and some other lords, under pretence that they had conspired against her for religioun's caus, the duke's freinds left him all, becaus that the lords would not consent to destroy the queene, or derogate her authoritie, by anie maner of way. A little before which time, the occasioun of the duke's conspiracie with the Erle Bothwell, to slay the Erle of Murrey in Falkland, was no other, but becaus the said Erle of Murrey living, they could nather doe the said queene harme in her persoun, diminishe her authoritie, nor constraine her to marie at their pleasure, and to her utter displeasure. After the queene had maried with him whom they esteemed their old enemie, and was with child, the goode Bishop of Sanct Andrewes, first called Cunninghame, esteemed Cowane, and at last Abbot Hammilton, not onlie conspired with the Erle Bothwell, but came with the queene to Glasgow, and convoyed the king to the place of his murther, the bishop being loodged (as seldome of before) where he might perceave the pleasure of that crueltie with all his senses, and helpe the murtherers, if mister had beene; and sent foure of his familiar servants to the executioun of that murther, watching all the night, and thinking long to have the joy of the comming of the crown a degree neerer to the hous of Hammilton.° And so great hope, melled with ambitioun, inflammed his heart for the king's deceasse, that within short time he beleeved firmlie his called brother to be king; and he (the said bishop) to be to him as curator during the whole time of his non-witt, which had beene a longer time than Witsonday or Martimesse. For he thought undoubtedlie, that the Erle Bothwell sould destroy the young prince, and not

suffer him prosper, to revenge his father's death, and preceed the erle's childrein in successioun of the crown; and the young prince once cutt off, the bishop made his reckoning, that the queen and Erle Bothwell, hated alreadie for slaughter of her husband the king, and more for the innocent, were easilie to be destroyed, with consent of all estats, and the crime easie to the bishop to be proved, who knew all the secreets of the whole designe: or if they would slay the Erle Bothwell, and spare the queene, they were in hope she would marie Johne Hammiltoun, the duke's sonne, whom, with mirrie lookes and gentle countenance, (as she could weill doe,) she had entered in the pastyme of the glaickes, and caused the rest of the Hammiltouns to fond for fainnesse.

"But after that the Erle Bothwell had refused battell at Carbarrie Hill, and the queene, before the comming of the Hammiltouns, came to the lords, the Hammiltons, at that time disappointed, fostered their vaine hope with a mirrie dream, that the queene sould be punished after her demerits, and were a time in double joy; one, that being ridde of the queene, she sould not beare moe childrein to debarre them from the crowne; and the other, that they might have an easie way of calumniating the regent for destroying the queene. But seing her keeped, they blamed openlie the regent, who keeped her in store in despite of them, (as they said,) to be a stude to cast moe fooles, to hinder them of the successioun of the crowne. Yitt, for all that, there would none of them come to parliament, to further their desire with a vote; but lay backe, to keepe themselves at libertie to reprove all that sould be done in that conventioun, and to faine favour towards the queene, whom they hated; so as, if by consent of the lords, or otherwise, she was delivered, they might helpe to putt doun the lords, who would not helpe to putt her doun in favour of them. This their intentioun was openlie shewed, when the queene being keeped in Lochlevin by commandement of the whole parliament, was delivered by conspiracie of some privat men, especiallie of the Hammiltons: for they assembled all their forces to putt doun the young king, and lords obedient to him. Which evill will they shew towards the

lords at the Langside, bringing with them great store of cords, to murther and hang them, if they had beene taken prisoners, and the victorie fallin to the Hammiltons; and the same evill toward the king, in keeping the Water of Forth, that he sould not escap their owne hands; being assured, that if he came in the Queene of England's power, that she, of her accustomed clemencie and kindnesse of blood, would not abandoun him to their unmercifull crueltie, experimented alreadie in his father. And seing that the providence of God had closed the doore to all their wickednesse at that time, they have never since ceassed to seeke enemeis to his Grace, in all strange natiouns. And perceaving that they had faire words of all others, except of the queen's Majestie of England, who understood their false and treasonable dealing, they turned their hatred against her, and entered in conspiracie with some tratours of England, that were als evill minded toward the queen's Majestie their soverane, as the Hammiltons were to the king's Highnesse of Scotland. This is nather dreamed in wardrop, nor heard through a boare, but a true narrative, of which the memorie is loodged in men's hearts, both Scotish and strangers, and the veritie knowne; by the which yee may understand the Hammiltons' pretence thir fiftie yeeres and more.

"After so manie wayes sought by them to destroy the right successioun, and place them in the kinglie rowme, seing all their practises could not avail, and their forces were not sufficient, they sought to augment their factioun, adjoyning to them all who were participant of the king's slaughter, and had aspired to slay the Queen of England. And to the effect they might come to their wicked purpose, they, in a maner, displayed a baner, to assemble together all kinde of wicked men, as Papists, renegat Protestants, theeves, tratours, murtherers, and open oppressors. As for their adherents in Scotland, I need not to exprime their names, nor the qualiteis of the conspirators of England, for they are weill eneugh knowne to your lordships. Yitt one I cannot passe, being the cheefe conspiratour, chosin by them to be King of Scotland and England, I meane the Duke of Norfolk; in which act, yee may

see how the thrist of your blood blinded them against their owne utilitie. First, they choose the principall enemie of the religioun of Christ within this ile, accompaneid with other filthie idolaters, to change the state of the kirk in both realmes, by cutting off the two princes, seing, their authoritie standing, the conspirators could not come to their intent. Nixt, they respected in that proud tyranne the vertues which were commoun to him and them, as arrogancie, crueltie, dissimulation, and treasoun. For even as they had this long time in Scotland sought the death of their righteous prince, so he in England, following the trade of his antecessors, diverse times attempting treasoun, would have putt doun the Queen of England. Heere also appeareth the Hammiltons' crueltie against the nobilitie of their owne natioun, in seeking the professed and perpetuall enemie of Scotland, (as his badge beareth witnesse,)[1] who sould have spilt the rest of the noble blood of Scotland in peace, that his antecessors could not spill in warre. By which electioun being assured, that no Scotish heart can love them, so can they love none of you, against whom they have used so manie treasonable acts. They doe show also, how crueltie and avarice have blinded them. They cannot see, in bringing a tyranne to have power over them, seing they, pretending neerest clame to the crowne, sould be neerest the danger. And yitt, for all this, could these men be weill contented, if by anie meanes they could atteane unto their intent by spoile and robrie, as they did, when they were placed in supreme authoritie; or by making of you slaves, as they did in selling of their queen, beginne that practice; wherin, howbeit the inhumanitie was great, yitt was it not in supreme degree of crueltie.

[1] After the victory of Flodden, Henry VIII. restored the Earl of Surrey to his paternal dukedom of Norfolk, and added to his shield the arms of Scotland, to be worn in the bend of Howard. Surrey also gave his servants the livery of a badge for the left shoulder, on which was a white lion, his own cognizance, trampling under foot and rending the red lion of Scotland. These heraldric insults rankled as keenly in the sensitive heart of Buchanan, as the more palpable injuries which the Howards had entailed upon his country.

"But it is no moderat, tolerable, nor accustomed thing which they seeke. It is the blood, first, of our innocent king, even suche as hath beene preserved by wilde beasts; nixt, the blood of all his true servants, and true subjects indifferentlie. For what defence can be in nobilitie, or what suretie against them who have murthered a king, and seeke strangers to murther another king? Whom sall they spaire for vertue and innocencie, who latelie executed, and yitt defend, the murther of the regent? Or who will be overseene for low degree or base estate, in respect of these who conducted some out of Tiviotdaill, to slay Mr Johne Wood,[1] for no other caus but for being a good servant to the crowne, and to the regent his maister, and had espyed out some of their practises? If this thrist of blood of these loche-leeches might be imputed to haistie hunger, or anie suddane motioun, which causes men sometime to forgett their dutie, there might yitt be some hope, that suche a passioun overpast, they would with time remember themselves; and after power, amend faults past, or at least absteane in time to come. But there is no suche humanitie in their nature, nor no suche pietie in their hearts: for, not content with a king's blood, they gape for his sonne's murther: nor satisfied to have slaine the regent, they keeped the murtherer in the duke's hous, in Arran, most like thinking, that if they honoured not the doer, they sould not be knowne as counsellers of the deid, and would tyne the glorie of that noble act. And beside all this, they are not onlie contented to mainteane Scotish tratours, but also receave English tratours, and sett up a sanctuarie of treasoun, a refuge of idolatrie, and a receptacle of theeves and murtherers. And howbeit the bullering blood of a king and a regent about their hearts, wherof the lust in their appetite giveth them little rest dailie and hourelie, making new provocatioun, yitt the small space of rest which they have be-

[1] Mr John Wood, younger of Tilliedavy, was secretary to the Regent Murray, to whom he endeared himself by his talents and fidelity. He was sent by the Countess of Murray to warn her husband to avoid Linlithgow: but the regent went forward, and was assassinated. It was only a short time after this event that Wood himself experienced the same fate.

side the executioun of their crueltie, they spend in devising of generall unquietnesse through the whole countrie. For not content of it that they themselves may steale, bribe, and reave, they sett out ratches on everie side, to gnaw the people's bones after they have consumed the flesh, and hound out, one of them the Clan Gregore, another the Grantie and Clan Chattan, another Balcleuche and Phairnihirst, another the Johnstons and Armstrangs. And suche as would be holdin the holiest among them, show plainlie the affectioun they had to banishe peace, and stirre up troubles, when they bended all their five witts to stoppe the regent to goe, first north, and syne south, to punishe thift and oppressioun. And when they saw their counsell was not authorised in giving impunitie to all misorder, they spent it in putting doun of him who would have putt all in good order. There is a kinde of these theeves, even odious to more gentle theeves, who, calling themselves great gentlemen, spoile travellers and chope-men by the way, and ransoume poore men about Edinburgh for twentie shilling the head; which vice cannot proceed of vengeance of enemeis, but rather of love and pleasure in wickednesse. This kinde of men doeth not onlie dishonour to nobilitie, in steeling, and theeves, in purse-pyking, but also to the whole natioun of Scotland, giving opinioun to strangers, that some of the Scots be of so low courage, that men amongst them aspyring to the highest estat of a kingdome, have crowched themselves in the most low order of knaves.

"Now, my lords, yee may consider how they who slay so cruellie kings and their lieutenants, will be mercifull to you; and when they sall have putt you doun, who crave revenge of the king's blood, yee may understand how few darre crave justice of your slaughter. Yee may see how cruell they will be in oppressing of the poore, having cutt off you, who being of most noble and potent houses of this realme, suffer through your sleuthfulnesse everie part of this countrie to be made worse than Liddisdaill or Annandaill; and not onlie suffer the purse-pykers of Cliddisdaill to exercise thift and reafe as a craft, but nourish and authorise among you the cheefe counsellers of all misorder, as an adder in your bosome. Of

all this, yee may lay the wyte upon no other but upon your selves, who have sufficient power to represse their insolencie and proudnesse, having in your hand that same wand that yee have chastised them with before: for yee have your protectour, the same God this yeere that was the yeeres bypast; unchangable in his eternall counsells, constant in promise, potent in punishing, and liberall in rewarding. Yee have your true freinds and servants, that were with you before. Yee are delivered of dissimulat brethrein, who had their bodeis with you, and their hearts with your enemeis; who subscrived with you, and tooke remissioun of your adversareis; who stood with you in battell, looking for occasioun to betray you, had not God beene your protectour. Yee have a great number of new freinds, aljenated from them, for their manifest iniquitie in deid, wickednesse in word, and treasoun in heart. Yee have of the same enemeis which yee had then, so manie as have their hearts hardenned, and their mindes bent against God, and lawfull ingraits. Yee have the same actioun which yee had then, accumulated with recent murther and treasoun, to provoke the ire of the Eternall against them. How farre God hath blinded them, blind men may see, that having so evill an actioun, and so manie enemeis at home, yitt by hounding out of small tratours of their wicked conspiracie, men execrable to their owne parents, whom, among others, they have diverse times spoiled—by hounding out, I say, of suche persons to burne, murther, reave, and steale, they provoke the queen's Majestie of England to seeke vengeance of their oppressioun against her realme and subjects; which vengeance justice and honour craveth of her so instantlie, that she cannot ceasse but persue them, their resetters and mainteaners, untill she give suche exemple to others, that although they will not respect vertue, yitt, for feare of punitioun, they sall be content to live in peace with nighbours, wherin her Highnesse hath alreadie renued the memorie of her experimented liberalitie and tender love to this natioun; seeking upon her proper charges, and travell of her subjects, the punitioun of suche as we, on our charges, sould have punished: I meane, not onlie of our tratours, but also resetters of her Majestie's tratours; and

in doing of this, seeketh pacificatioun among them who violated peace with her, without provocatioun; severing the punishement of suche as are guiltie in offending, from the subjects who have not violated the peace. And as she keepeth peace and justice among her owne subjects in England, so, unrequired, she offered support to the same end in Scotland; and not onlie giveth remedie to our present calamiteis, but cutteth the roote of troubles to come, and preventeth the wicked counsell of suche as provoke English men, and solist Frenche men, to come in this realme, to the end that these two natiouns, entered in barresse, the one against the other, they may satiat their cruell hearts of blood, their obstinat will of vengeance, their bottomlesse covatice of spoile and thift.

"Therefore, seing God hath so blinded your enemeis' witts, my lords, be of good hope, that he sall also cast the spirit of feare and desperatioun in their endured hearts, and prosper your good actioun, to the which he comforteth you with his readie helpe, exhorteth you by his Word, and constraineth you by the duetie of your estate, and necessitie of preserving your lives and honours. For promise being neglected, faith violated, subscriptions sett at nought, there is no meane way left, but ather to doe or suffer. And seing that both are miserable among suche as sould be freinds, yitt better it is to slay justlie, than to be slaine wrongfullie: for the executioun of justice in punishing the wicked is approved by God and man; and sleuthfulnesse in defence of justice cannot be excused of treasoun. And, beside, that God sheweth him so mercifull and liberall to you, in sending you freinds, by procuring of your enemeis, also the persons most recommended of God crave the same: for sakelesse blood, oppressioun of the poore and fatherlesse, crie continuallie to heaven for a vengeance, which God committeth to your hands, as to his lieutenants and speciall officers in that part. And even as He rewardeth faith and diligence in obedience of his eternall will, so, he will not neglect to punishe sleuthfulnesse in just executioun of his commandements. Therefore, my lords, as yee would that God sould remember on you and your posteritie, when they sall call on him in their necessitie, remember

on your king, our soverane, and on my lord regent's pupills, committed to you in tutorie, by reasoun of your offices and estat; anent persons which are not in age nor power to helpe themselves, and are recommended speciallie to all Christians by God in his holie Scripture; and defend suche innocent creatures as may nather doe nor speeke for themselves, from the crueltie of unmercifull woolves. Neglect not the occasioun, nor refuse not the helpe sent to you by God; but recognosce thankfullie his favour toward you, who causeth the enemeis to procure your helpe. Neglect not the offer of freinds. In cace you lett slippe this occasioun, yee sall crave it in vaine in your necessitie. Thinke it no lesse providence of your heavenlie Father, than if he had sent you a legioun of angels in your defense; and remember that he shew himself never more freindfull and succourable to no people than he hath done to you. And trust weill, if ye will perseveere in obedience and recognoscence of his grace, He will multiplie his benefites to you and your posteritie; and sall never leave you, till yee forgett him first."

THE TWENTIE-THRID GENERALL ASSEMBLIE.

The Generall Assemblie conveened in the tolbuith of Stirline, the sixt of August. Mr Gilbert Gairdin, minister of Fordyce, was chosin Moderator.

COMMISSIONS.

The Assemblie appointed Mr James Lowsone, Sub-principall of Aberdeene, Mrs David Wemes, Johne Dykes, James Melvill, Patrik Balfour, Archibald Keith, minister at Peterheid, to trie the commissioners' bookes of visitations. Commissioun was givin to some brethrein, barons, and ministers, or anie ellevin of them, to compeere at Stirline the 22d day of this instant, at nyne houres before noone, to consult and reasoun, as in the commissioun givin in the last Assemblie.

AN EXHORTATION TO SUPERINTENDENTS AND COMMISSIONERS.

The Assemblie exhorted earnestlie all superintendents and commissioners to plant kirks, to be warie in giving letters, testimonialls, to anie persons presented to benefices, except to suche allanerlie as they sould perfytelie know, due examinatioun preceeding, to be able to instruct and teache sincerelie, as they will answere, first to God, and therafter to his kirk.

MR P. ADAMSON DESIRED TO RE-ENTER IN THE MINISTRIE.

The Assemblie preceeding had earnestlie desired Mr Patrik Adamsone to enter again into the ministrie, seing there were so few labourers in the Lord's vineyarde. He craved time till this Assemblie, to advise with himself and brethrein that loved him. He sent a letter to this Assemblie, conteaning his answere. The Assemblie ordeaned their commissioners who were appointed to speeke with the lord regent's Grace, to speeke him also to tak order with the contents of his letter, and to report to the nixt Assemblie.

Mr Knox sent this letter following to the Assemblie, which was read in the secund session therof:—

"The Mightie Spirit of comfort, wisdome, and concord in God, remaine with you. Amen.

"DEERE BRETHREIN,—If abilitie of bodie would have suffered, I sould not have troubled you with this my rude dytement. I have not forgott what was layed to my charge, by famous libells, at the last Assemblie; and what a brag the adversareis made, personallie to accuse me at this Assemblie, which I pray you patientlie to heare, and judge of me as yee will answere to God: for unto you, in that heed, submit I my self, being assured, that I nather offended God, nor yitt good men, in anie thing that hitherto hath beene layed to my charge. And now, brethrein, becaus the daylie decay of naturall strenth threatneth unto me certan and sud-

dane departing from the misereis of this life, of love and conscience I exhort you, yea, in the feare of God I command you, that yee take heed to your selves, and to the flocke over the which God hath placed you pastors. To discourse of the behaviour of your selves I may not, but to command you to be faithfull to the flocke I dare not ceasse. Unfaithfull and tratours to the flocke sall yee be reputed before the Lord Jesus, if that, with your consent, directlie or indirectlie, yee suffer unworthie men to be thrust in into the ministrie of the kirk, under what pretence so ever it be. Remember the Judge before whom ye must make accompt, and resist that tyrannie as yee would avoide hell's fire. This battell, I grant, will be hard; but in the secund point it will be harder: that is, with the like uprightnesse of heart, and strenth in God, yee gainstand thir mercilesse devourers of the patrimonie of the kirk. If men will spoile, lett them doe it to their owne perell and condemnatioun. But communicat not yee with their sinnes, of what estat so ever they be, ather by consent, or yitt by silence. But with publict protestatioun make it knowne to the world, that yee are innocent of suche robrie, which will, ere it be long, provoke God's judgement upon the committers therof. Yee will seeke redresse of God and man. God give you wisdome, and stout courage, in so just a caus, and me an happie end.

"Your brother in Christ Jesus,

"JOHNE KNOX.

"From Sanct Andrewes, the 3d of August, 1571."

This letter was read, considered with mature deliberatioun, and allowed in all points, with firme purpose to doe and proceed according to the godlie counsell therin conteaned, &c., tuiching the effaires of the whole kirk. And, as concerning his owne part conteaned in the said letter, the Assemblie ordeanned all persons to be warned at the Tolbuith doore, that had, or pretended to have, anie thing to the charge of the superintendents or ministers, ather presentlie conveened, or absent from the Assemblie, to compeere before the dissolving of the same, and accuse, if they had anie just

mater, but cheefelie these that gave in famous libells at the last Assemblie holdin in Edinburgh, in the moneth of Marche last bypast, promising to heare their accusatiouns, to trie the same, and to minister justice therin, so farre as in them lyeth, according to God's Word.

APPLEGIRTH TAKIN.

Upon Thursday, the 9th of August, there sould have beene a combat betwixt Applegirth and Wormeston, five and twentie on the side. Wormeston refused to fight in the actioun presentlie debated, but if Applegirth had anie actioun against himself, was contented; and so it was stayed. The day after, Applegirth was takin, and his two brethrein.

MORTON WINNETH THE REBELS.

At the same time, the Erle of Morton mett with the Erles of Argile, Cassils, Eglinton, and Lord Boyd, at Stirline, and disswaded them from maintenance of their evill caus. He prevailed likewise after with Crawfurd, Rothesse, Arrell, and others. From Stirline he came to Sanct Andrewes, to take possessioun of the bishoprick of Sanct Andrewes. Mr Johne Dowglas, Rector of the Universitie of Sanct Andrewes, was presented to the bishoprick of St Andrewes the 18th of August.

LINDSEY LIEUTENANT.

Upon Thursday, the 23d of August, the Lord Lindsey was chosin lieutenant in Leith, till the regent's returne from the parliament; who tooke journey from Leith to Stirline, the 24th of August.

MONSIEUR VIRACK TAKIN.

Monsieur Virack, who was left in Sanct Andrewes upon his owne

promise and oath, went out, as it were, to the hawking, upon the 28th of August, and was takin away by the Laird of Wormeston, accompanied with twentie hors.

THE REBELS' PARLIAMENT.

The rebels held their parliament in Edinburgh, and beganne the 26th of August, wherin were forfaulted the Erle of Morton, Lords Lindsey, Ruthven, Glames; Huttonhall, Manderston, Coldingknowes, Cesfurd, Fadownside, and others, to the number of two hundreth, where as there were but three of the nobilitie there, to witt, two appointed procurators and commissioners for the queene, to moderat the parliament, and Alexander Lord Hume, and two bishops; one, who had beene confynned before in Edinburgh by the regent, and stayed unwillinglie after the alteratioun of the state of the toun; another, who had beene drivin thither by necessitie, having wasted and consumed all his rents.

The regent held a parliament in the king's name in Stirline, the 28th of August. The young king was present in person, and uttered these words:—"My lords, and yee, the true subjects, who are conveened heere, as I understand, to minister justice; and becaus my age will not suffer me to exerce my charge myself, by reasoun of my youth, I have givin power to my goodsir, as regent and tutor to me, and you to assist him therin, as yee will answere to God and me therafter." The same day, sitting in his chaire of honour, and his rob royall upon him, looking up above his head, and seing a hole in the tolbuith, he said, "There is a hole in this parliament!" which in another sense was verified in the end, when the regent was slaine.[1]

[1] This trivial affair is given in a more *naive* and minute manner by the author of the "Historie of James the Sext," in these words: "In Sterling, the king being convoyit to the Parliament Hous, and set at the burde, be fortune he espyit a hole in the burdecloth; so that, as yung childer are alwayis unconstant and restles, he preissit to attene to the hole with his fingar, and askit of a Lord wha sat nar by him, to know what hous that was; and he answerit, that it was the Parliament Hous. 'Then,' said the king, 'this parliament hes a hole into it.' Whither God inspyrit the

THE REBELS FOREFAULTED.

In this parliament there were about threttie persons forfaulted; the duke, the Erle of Huntlie, his brother, Adam Gordoun, Sir William Kirkaldie of Grange, Sir James Balfour, Gilbert and Robert Balfour, Robert Melvill of Cairnie, David and Andrew Melvill, David Seton of Perbrothe, Alexander Crichton of Dryla, Thomas Ker of Phairnihirst, Johne Hammilton, Commendatare of Arbrothe, Johne Hammilton of Kilbowie, the Bishop of Dunkelden, the Bishops of Murrey, Galloway, and Aberdeene, James Borthwick, sonne to Michael Borthwicke, James Borthwicke of Colliton, George Barclay of that Ilk, Johne Cranston of Moreston, William Bailzie of Carinston, David Spence of Wormeston, Johne Matlane of Auchingassill, younger, Thomas Hammilton of Priestfeild, Thomas Ker of Cavers, Mr Alexander Hammilton, Vicar of Kilburnie, Harbert Maxwell, burgesse of Edinburgh, Mr Johne Moscrop and his sonne Patrik, Robert Gourlay, the duke's servant. These were forefaulted the penult of August.

THE PETITION OF THE KIRK REJECTED.

Upon Fryday the last of August, after the forefaulture, Argile, Cassils, Montgomerie, Boyd, the Shireff of Aire, and sindrie others, came to the parliament. The same day the commissioners of the Assemblie gave in the articles of the Assemblie, craving that benefices sould be bestowed onlie upon qualified persons, which qualificatioun sould be tried by the kirk: that manses and gleebs be not sett in few, but be occupied by ministers: that incest and other greevous crimes be punished. But their petitions were rejected. The ministers were called proud knaves, and receaved manie injurious words from the lords, speciallie from Morton, who ruled all. He

babe then with prophecie at that tyme or not, I will not dispute: but in verie deid, the cheif leader of that parliament was stoppit with sik a hole within fyve dayes efter this saying, that was the verie caus of his death."

said he sould lay their pride, and putt order to them. The regent himself approved their petitions. The Superintendent of Fife inhibited the Rector of Sanct Andrewes to vote at this parliament, till he be admitted by the kirk, under the paine of excommunicatioun: Morton commanded him to vote, as Bishop of Sanct Andrewes, under the paine of treasoun. Upon the Lord's Day after, Mr Johne Row denounced judgements against the lords for their covetousnesse, and hard answeres to the commissioners of the kirk. "I care not," said he, "my lords, for your displeasure, for I declare my conscience before God, who will not suffer suche wickednesse and contempt unpunished." He was called a railler and seditious knave, and the rest no better.

SKIRMISHES BETWIXT LEITH AND EDINBURGH IN TIME OF PARLIAMENT.

In the meane time there went out of Edinburgh two hundreth horsemen and a hundreth foot, upon the 27th of August, to the Byres, and brought in to Edinburgh with them eightie kyne and oxen, and poore men's hors. Within foure dayes after, they went furth again to demolishe the hous, but were disappointed, becaus some harquebusiers had been placed there for defence. Upon the penult of August there issued out of Edinburgh seven or eight score horsemen, beside foote, toward Leith, but were driven in again. They went out of freshe again, being encouraged by the returne of supplee of a fresh companie of eight score hors or thereby. But the Lord Lindsey encountered them with the forces he had in Leith, and drave them in again at the ports. Two ensignes came to the Nether Bow. Captan Lambie was almost takin. The Tutor of Pitcurr, colonell, was takin at the port upon horsebacke, supposing that his companeis were following. It was darke, for it was about halfe houre to nyne before they had ended their chasse. There were takin on the other side sixtie or eightie souldiours, and ten or twelve horsmen.

THE REGENT SLAINE.

Upon the 4th of September there went furth out of Edinburgh about two hundreth horse and three hundreth foote, conducted by George Erle of Huntlie, Claud Hammilton, and Walter Scott of Balcleughe, and came to Stirline by breake of day, whill the lords were verie secure and negligent; for they had not so muche as a sett watche in time of parliament.[1] George Bell, a man borne in Stirline, who knew perfytlie all the passages of the toun, and an ensigne-bearer to a companie, was their guide. They tooke by violence all the horse they could find by the way. When they entered in the toun, they cried, "God and the Queen!" Some cried, "A Hammilton! Remember the Bishop of St Andrewes! all is ours!" They came fordward to the mercat place. Then a certane number went to everie nobleman's loodging, who were all suddanlie surprized. Morton's loodging was defended till two of his men were slaine, and the loodging filled with smooke. Hardlie escaped he out of the fire, and randered himself to Balcleughe. The regent, the Erle of Glencarne, the Erle of Eglinton, and sindrie others, were takin with little resistance. Wormeston was appointed for the regent's loodging. Loath was he to come furth, till Garleis and others perswaded him, seing there was no meane to resist. So he randered himself to Wormeston, upon promise to save his life. Claud Hammilton had given a warning, that als soone as ever they came out of the ports, all that had noblemen prisoners sould kill them. Whill the enterprise thus succeeded, and the souldiours went to spoile houses and boothes, the Erle of Marr, captan of the

[1] This daring exploit of the surprisal of the parliament at Stirling, which was planned by Kirkaldy of Grange, was also to have been conducted by that skilful and successful leader, in which case the result would probably have been so different, that a new direction might have been given to the subsequent history of Scotland. But the lords and gentlemen in the castle persuaded him to remain, by representing how necessary his own safety was to the queen's cause, and by their assurances that all his directions would be carefully executed. They also engaged, at his express stipulation, to respect the lives of their captives,—a promise not likely to be faithfully observed.

castell, preassed through with a companie of harquebusiers to his loodging beside the mercat place; (it was in building, and not yitt finished;) and shott out of the loodging, so that none of the enemeis durst come through the mercat place; yea, they were so affrayed, that they tooke the flight, and going out at the port, trode upon other for throng, and had hardlie escaped if there had beene manie persuers readie. There were onlie sixteene who persued them, as Buchanan writteth: but I read in a manuscript, that Captan Crawfurd, with assistance of some gentlemen out of the castell, and some other gentlemen that were in the toun, came furth to the streets, and chassed them out of the toun. These who were before persuers, abandoning all care of their captives, provided the best way they might for their owne safetie. George Ruthven persuing too hastilie, was slaine: Alexander Stewart, Laird of Garleis, caried away prisoner, was slaine, but it is uncertane whether by the enemie, or negligentlie by the persuers, and nyne or ten other gentlemen, and als manie on the other side, and twelve or sixteene takin. The takers of Morton and Glencarne randered themselves to them, perceaving they could not escape. The regent was slaine by Captan Calder at the directioun of George Bell. George Bell receaved the directioun from the Erle of Huntlie and Claud Hammilton.[1] David Spence, Laird of Wormeston, was so carefull to save the regent's life, that he was shott through also and slaine.[2] The regent was brought to the castell, where he called for a physician,

[1] This atrocious murder of the regent had almost led to a whole series of murders. For, in consequence of the execution of Calder and Bell, who were broken upon the wheel for the assassination, the other party threatened to execute the Tutor of Pitcur, then their prisoner, in retaliation. Pitcur's life was spared at the entreaty of the craftsmen of Edinburgh; but, while the question was in suspense, Lord Lindsay captured the old Laird of Mountquhanny and several gentlemen of Fife, whom he resolved to put to death if the other party fulfilled their threat.

[2] Wormeston, one of the most amiable and upright characters of this period, had received from Grange the charge of securing the regent, and saving his life at every risk;—a charge which he executed so faithfully, that he received through his own body the bullet by which Lennox was mortally wounded. He was afterwards barbarously hacked to pieces by the king's party who came to the rescue, although the regent repeatedly called to them to spare his preserver.

one for his soule, and another for his bodie. His speeche is extant in Holinshed.[1] He was buried in the king's chappell, in the castell of Stirline.

THE ERLE OF MARR, REGENT.

Within two or three dayes after the buriall of the regent, the Erle of Argile, the Erle of Morton, and Johne Erle of Marr, were putt in leits, and, by a pluralitie of voices, Johne Erle of Marr was chosin regent.

OTHER PROCEEDINGS OF THE PARLIAMENT.

In this parliament, the nomination, electioun, and acceptatioun of the Erle of Marr to, and of his regencie, was approved. Some heralds, macers, pursevants, and messingers of armes, were deprived of their offices of armes, and declared infamous, for accompaneing the declared tratours, rebels, and conspiratours; fortifeing and assisting, and taking plaine part with them in their late treasonable, pretended, and arrogant proceedings, by displeying their coats of armes in proper persoun, and bearing their maces. The Erles of Argile, and Eglinton, and Cassils, and Lord Boyd's escheats, and of their kin, freinds, tennents, and servants, were remitted, seing they were now come to the obedience of the king's authoritie. The parliament ended the 7th of September, where the king being present in persoun, by the tuiche of the scepter ratified all things done.

Upon the 7th of September a letter was formed, to be sent to those who remained in the burgh and castell of Edinburgh, which was delivered in Lethington's owne hand, in the castell of Edin-

[1] He appealed to the lords, that it was at their especial desire, rather than from any personal ambition, that he had undertaken the regency: he recommended the king to their care, and exhorted them to appoint a trust-worthy person to succeed him. Then addressing himself to the Earl of Mar, whose hand he held, he tenderly besought him to carry his love to his Meg, (the Countess of Lennox,) and tell her that he committed her to the goodness of God; after which he breathed his last.

burgh, in presence of their counsell, the 27th of the same moneth of September, by Robert Dowglas, brother to the Laird of Whittingham, and servant to the Lord of Mortoun, the tenor wherof followeth:—

"The Nobilitie and Estats of this realme of Scotland, presentlie conveened in parliament at Stirline, in the feare of God, and lawfull obedience of the king, our soveran lord, to all persons now remaining in the burgh and castell of Edinburgh, the 7th of September 1571.

"Albeit we might lay furth before your eyes particularlie how evill yee have deserved of the commoun wealth of this your native countrie wherein yee were borne, in that yee have beene verie instruments, and occasioun both of your owne trouble and punishment, and also of the great calamitie which your whole countrie and poore people thereof hath susteaned, and doeth susteane, through this unnaturall and civill discord, yitt not meaning to irritat you by a repetition of things unpleasant, whicht to our greefe are over manie, and wherof we doubt not your owne consciences accuse you; but rather intending, by giving you this wholsome admonitioun, to discharge us, first to God, and nixt before the world, we have sought you to be wonne: Wherethrough, incace, by your owne obstinat wilfulnesse, yee taste the uttermost of the plague and punishment, it may be rightlie adjudged to be in your owne default. This consideratioun hath moved us, by this letter, to require you to consider, yourselves in commoun, and everie one in particular, the ground and circumstance of the caus and querell which yee pretend, your owne present conditioun, with whom it is yee contend, and what probablie must be the end of all.

"The ground is, tuiching the deprivatioun of the king, our soveran lord, from his crowne and royall authoritie, diverse times intended by some of you, and yitt by God's providence alwayes disappointed. For the caus: Amongst you are men that were als earnest to promote it as anie others; and by the same, diverse of

you acquired honour, good report, and benefite. But since yee rejected his Highnesse' obedience, yee have found your reward; reproach, obloquie, and skaith, and your intents oft times frustrated. As to your oppressioun in that toun where the seate of justice sould remaine, for the weale of the whole subjects, yee have not onlie thereby depauperated the inhabitants of the toun, but have made yourselves contemptible to this whole natioun. And now, yee have to lay your compt whether the few number of you remaining there sall conqueisse and overthrow us all; or if, by likeliehood, we be not more able to make you conformable. Your contentioun is, for displeasing of the king, our soveran lord, some of you being the cheefe instruments of his promotioun, and the greatest part of you all having promised and sworne obedience to him. He is (ye see) the rysing starre; and shortlie will be able, God willing, to discerne this querrell himself, by course of age. And the end must be, ather he to be obeyed, and peace and justice restored in this commoun wealth, or then, the force of you now compassed within that castell must undoe him, whose subjects we professe our selves to be, and so, consequentlie, exterminat us and our posteriteis. What ground yee build on in your enterprise, or what certantie yee can looke for, or the course yee runne, lett everie one of you consider by himself, and looke upon the inconveniences of this warre, if it will continue, and of the fruicts which peace and justice would bring. Call also to your remembrance the desolatioun which hath beene in other regiouns of Europ nixt unto us these late yeeres, through warres als weill forrane as intestine. And yitt are the same at this day for the most part quietted, and peace required, ather by victorie, or ellis the weakest hath yeelded to tolerable conditiouns. Take heed whether yee mainteane that caus by your owne proper force or not; or what abilitie yee had to contend in it, if the king's hous and munition were not at your devotioun.

"To be short, this realme may no longer susteane this contempt, rebellion, and confused state; but ather must the king, our soveran lord, and his authoritie, be obeyed, that toun of Edinburgh sett at-

libertie, and the seate of justice restored, to the universall commoditie and ease of the subjects, or then must we give our lives, and imploy our substance and freinds in the querrel. And as we have orderlie proceeded heretofore by law against you, so, before the just executioun therof, which we cannot, nor may not, leave undone, we have thought good to give you this admonitioun, that yee may in time eshew the imminent perell and danger approaching. Which advice if yee follow, then will we travell, so farre as in us sall ly, for your releefe and safetie. And if our admonitioun be rejected, then we protest, that as yee yourselves have beene and are the occasioun of all the evill and extremitie which hath followed your obstinacie and contempt, so whatsomever harme or inconveniencie happin to anie of us in prosecutioun of this just caus, that our bloods and skaiths be required at your hands, and your posteriteis."

After this parliament, some barons, and other professors, displeased with the hard answeres givin to the commissioners of the kirk, declared their greefe to the regent and counsell, as followeth :

"The Gentlemen, Barons, and other Protestants within this realme, to the Regent's Grace, wish to him and his honourable Counsell all felicitie, with the spirit of righteous judgement.

"We doubt not but your Grace and honourable counsell hath found, and findeth fault with us, that we have beene absent frome the king's service in our owne persons, at the appointed quarters at Leith, wherunto our owne consciences would accuse us, unlesse we had a sufficient defence before God and man; which is, that we darre not joyne ourselves in hazard with the professed enemeis of Christ's Evangell. We call not onlie suche, as by open hostilitie make warre against the free preaching of the same, (as now-a-dayes the tratours who occupie the castell and toun of Edinburgh;) but enemeis to Christ Jesus we call all suche, as, directlie or indirectlie,

goe about to deface the ministrie of his blessed Evangell. Of which crime, in our conscience, we nather darre excuse your Grace, nor yitt your counsell: for what can be a more readie way to banishe Christ Jesus from us and our posteritie, than to famishe the ministers present, and tyrannicallie so to impyre above the poore flocke, that the kirk sall be compelled to admitt dumbe dogges to the office, dignitie, and rents appointed for sustentatioun of preaching pastors, and for other godlie uses? In which crime the whole world may see your Grace and the nobilitie joyned with you, and with the king's service so drownned, that suche as looke not for a suddane plague (unlesse speedie repentance prevent God's judgements) are more nor blind. For, as tuiching the conditioun of our ministers present, it is more miserable than the conditioun of a begger. For beggers have freedome, without reprooffe, to beg over all. But our poore ministers, bound to their charge, are compelled to keepe their hous, and with dolorous hearts see their wives, childrein, and familie, sterve for hunger, and that, becaus your Grace and greedie courteours violentlie reave, and unjustlie consume that which just law and good order hath appointed for their sustentatioun; to witt, the thrids of benefices, which are now so abused that God cannot long delay to powre furth his just vengeance for this proud contempt of his servants; wherof we crave hastie and suddane redresse.

"The secund caus which moveth us, that nather we can joyne with your Grace, nor yitt with your counsell, is, that we see suche a corruptioun begunne, and appearing to proceed, that, unlesse it be stayed by time, we sall give just occasioun to our posteritie to curse our negligence and silence, yea, to curse our barbarous cruelltie committed against them. For what sall our childrein judge of us whom God hath illuminated miraculouslie, under whose feete he hath trode doun Satan, with idolatrie, and the mainteaners of the same, and hath granted to us such light and libertie of his blessed Evangell, as never realme nor natioun receaved the greater, yea, not the like, since the dayes of the apostles of Jesus Christ? If we, (we say,) to whom God hath showin suche graces and bene-

fites, sall ather invy them to our childrein, or yitt suffer them to be suppressed in our default, can we ather be excused of rebellioun against God, or yitt be absolved of cruell murthering of our owne childrein? God commandeth that the fathers teache the true feare of God to their childrein and posteritie; and nature craveth that we have a speciall care of their temporall and eternall salvatioun. Our selves we know are mortall, and suddanlie tending to the grave, and so, unable to remaine, to shew to our childrein the wondrous works of our God showen in our dayes. And your Grace, and the nobilitie fightand with you, (against tratours, we grant,) goe about to cutt off from our posteritie the fountaine of living waters, the true and free preaching of the blessed Evangell of Jesus Christ. For whill that erles and lords become bishops and abbots, gentlemen, courteours' babes, and persons unable to guide themselves, are promoted by you to suche benefices as require learned preachers. When such enormiteis are fostered, we say, what a face of a kirk sall we looke for ere it be long within this realme? We, without boasting of ourselves, must speeke the truthe before God, your Grace, and the whole world, which is, from the beginning of this action we have served without sute of other reward, than to have the poore kirk of Christ Jesus sett at freedome, and so to remaine to our posteritie. Wherof perceaving ourselves to be utterlie disappointed, we darre not promise service, as heertofore we have done; for we are not ignorant of the mutuall contract that God hath placed betwixt the supreme power and the subjects.

"Beseeking, therefore, your Grace and counsell to have suche respect to the foresaid enormiteis, that just occasioun be not offered to us and others to be more cold in the king's Majestie's service than heertofore we have beene: And your Grace's answere most humblie we beseeke."

THE REGENT'S PROCEEDINGS AT LEITH.

Upon the 10th of September the Erle of Marr came to Leith, to

putt order to effaires there, and constituted the Erle of Morton cheefe lieutenant. The subjects were warned by open proclamation to come to Leith. In the meane time, the regent and the lords were informed that the Duke of Norfolk's secretarie was takin at Newcastell, coming to the castell of Edinburgh with twentie-five thowsand crownes; that the duke was committed to the Towre of Londoun, and the queene more straitlie keeped.

LETTERS INTERCEPTED.

Upon the 18th of September, Monsieur Virack's servant, and one Hammiltoun, were apprehended, and the letters sent by them to the King of France intercepted, wherin Monsieur Virack craved aide of two hundreth harquebusiers; but with all signifeid that their estate was rather worse than better, notwithstanding of the regent's slaughter, and that he doubted greatlie how the harquebusiers might be safelie landed.

R. DOWGLAS' DEATH.

Robert Dowglas, brother to the Laird of Whittingham, died within two dayes after he had delivered the letter above-writtin. It was suspected that he was poysouned, becaus he swelled after his death.

THE BEGINNING OF THE SEIGE OF EDINBURGH.

Upon the 4th of October the regent came to Leith, accompaneid with foure thowsand men. The artillerie was brought from Stirline by sea. Upon the eight day, the pyoners beganne to cast trenches, some in the Cannogate, and some at the West Port.

THE QUEENE OF ENGLAND CRAVETH THE CASTELL TO BE RANDERED.

Upon the eight day of October, Captan Cairs and Captan Bri-

coll came from the Queene of England, with letters to the castell lords. The summe was, that the secretare and Laird of Grange had writtin to her, to know her minde, whether she would plainlie take upon her the maintenance of the king's caus or not: that she had laboured since by all meanes possible to have had the queene reponned to her former estat, with contentment of the nobilitie for the king's part, if it were possible. But, in the meane time, she hath perceaved the Scottish queene to use pernicious practices, als weill with the Pope and other forrane princes, as with her owne subjects in England, tending manifestlie to the subversioun of the king's estate, of his nobilitie, and of the religioun presentlie professed within the realme; and also to the pulling of the crowne off her owne head, and subversion of the whole estat and religioun presentlie professed in the realme of England, so that she cannot, nor will not, travell longer in her caus; but will mainteane and assist the King of Scots his crown and caus, as she will doe her owne: Therefore, desired them to rander the castell and toun to the king and his regent without delay, and she would be oblished to be their suretie for their lives, lands, and rents; otherwise, she would helpe shortlie to recover it by force.

These letters being delivered in the castell upon Tuisday, the answere was delayed till Thursday. In the meane time, James Cunninghame, brother to the Laird of Drumquhassill, who was sent to England after the slaughter of the regent, returned with letters to the regent, wherin the queene accused the Scottish queene of ingratitude, and declared that she would mainteane the estat of religioun heere, as she would doe her owne crowne, state, and religioun within her owne realme. And least anie thing sould be wanting, through delay of time by sending to Londoun, or to court, she had sent doun the Lord Hunsden, Governour of Berwick, sufficiently instructed with her minde in all these maters, to remaine at Berwick. Mr Cairs receaved this answere from Lethington and Grange, that the nobilitie assisting their part were not present; and these who were there, to witt, the duke and the Erle of Huntlie, had not their counsellers and freinds present, without

whom they could not resolve in so weightie a mater. But how soone they might be convenientlie assembled, they sould direct their answere. Mr Cairs departed with this answere to Berwick upon Friday.

THE DUKE OF NORFOLK'S CONSPIRACIE.

In a discourse printed at Londoun, the 13th of October, are discovered the practises of Ladie Marie, sometime Queene of Scotland, in these words following:—

"First, It is not unknowne that the Duke of Norfolke did, of late yeeres, secreetlie practice to have mareid with the Scottish queene, without the knowledge of the queen's Majestie, our soverane ladie. It is not also unknowne that the said Scottish queene hath beene the most dangerous enemie against the queen's Majestie, our soverane ladie, that lived, in that she sought to have the crowne of England from her Majestie immediatelie after Queene Marie's death. It is also weill knowne, that when she could not gett it, nather by force nor by cunning, that she solemnlie promised to acknowledge her errour, and to recognize the verie true right to be justlie in the queene's Majestie, our soverane ladie, to whom the same belongeth, as lawfull daughter and heyre to King Henrie the Eight, her father; and so also, by the lawes of the realme perfytelie established, to succeed King Edward the Sixt, her brother, and Queen Marie, her elder sister; and by the homage of all her nobles, prelats, and people, als duelie acknowledged at her coronatioun as ever anie King of England was in former time; and in verie deed, als worthie a prince for this realme, for her clemencie and goodnesse in governement, as ever raigned. It is also knowne that the Scotish queene hath not yitt performed her promise, but with frivolous answeres hath delayed it. Nather is it of anie force to be demanded, or worthie the having, if she would yeeld to perform it; for nather can she that could not gett this realme when she sought it wrongfullie, nor keepe her owne when she had it quietlie, amend the queen's Majestie's estate, which is fullie per-

fyte; nor yitt is anie thing that she sould promise to be holdin firme and durable, but as time sall give her caus to keepe it or breake it. It is also said, and crediblie avowed, that the Scotish queene was the greatest caus of the rebellioun latelie in the north, whereby some noble houses who had served in this realme, partlie by themselves, and speciallie by their ancesters, valiantlie against the Scots, were now, by cunning practise of this Scotish ladie deprived of her kingdome, intised to overthrow themselves and their houses, with a multitude of moe English subjects, than she could have done by armes in the feilds, if she had beene in possessioun of her kingdome. It is also knowne, that notwithstanding this, that the queen's Majestie being voide of a revenging nature, (as in all acts have so appeared, that some sort of wise men have noted it a fault for a prince,) did labour to have her restored to her countrie, (as, indeed, the queene's Majestie was the caus of saving her life, after the murther of her husband,) with compositioun betwixt her and her sonne the king, and the states and people of that realme, thereby to putt some good end to the civill warres in the same. It is also knowne that the Queene of Scots did, upon the first apprehensioun of the Duke of Norfolke, by wryttings to the queen's Majestie, utterlie renounced the Duke of Norfolk and his mariage, with some note, that she did not of her self first move it, nor yitt like it. And so did the duke, after his first apprehensioun, by manie messages, and by speciall wrytting directed to the queen's Majestie, humblie and penitentlie acknowledge his offence, in seeking to marie with the Scotish queene; and did firmelie, under his hand and seale, promise never to deale therin further, or in anie other mater with that queene.

"And now, it is certanlie found, that the former practise betwixt that queene and the duke, notwithstanding their severall renunciatiouns and firme promises to the contrarie, hath had continuance without interruptioun, by secreet meanes of sindrie evill persons, both all the time that the duke was first in prisoun, in the Towre, and also ever since, when he was committed to his owne hous, untill he was now newlie committed to the Towre. But

how dangerous so ever this attempt may be judged in them, to continue the secreit practise and intentioun to marie against the queen's Majestie's will, and the expectatioun of all that be knowne duetifull subjects to her Majestie, and true freinds to the duke, that may best appeare, by the dangerous practises that have accompanied and followed this attempt, which Almighty God hath mervelouslie discovered, to the safetie of her Majestie's persoun, and preservatioun of the realme. It was devised and determined that a new rebellioun sould be moved neere Londoun; the citie sould be takin by force, and possessed: in the meane time, a number of men of warre, strangers, sould be brought by sea, from the Low Countreis beyond the seas, to a notable port of this realme meete for the purpose. And so, both forces of enemeis and rebells sould joyne, and then proceed to further things than is expedient (as I heare) to be spokin of at this time. These devices were not onlie talked off, putt in wrytting, and fullie concluded, but the messingers were also sent over sea in Lent last, with sufficient authoritie of commissioun, and writtings, to testifie the determinatioun of these who sould be the heads and conducters of this rebellioun; as the same being imperted on the other side the sea, was weill accepted and allowed; and therof severall letters were speedilie writtin to the said queene, and to the Duke of Norfolk, and speciallie to that ungratious preest named the Bishop of Rosse, (the instrument of all the duke's calamitie, and the seed-man of all treasouns against this realme,) that this interprise must be keeped secreit; and, namelie, from the Frenche, for certane respects not of small moment, as is said, untill the messinger sould post to Rome to the Pope, for money, and to the King of Spaine, for order and direction for men and shippes. The messinger had his letters of credite from the Scotish queen, the duke, and others, to the Pop and the King of Spaine. And so, comming to Rome, he returned letters from the Pop's gracious Holinesse in the beginning of May to the said queen, and to the duke and others. The letter to the duke was in Latine, beginning, *Dilecte fili, Salutem.* But, indeed, the duke might weill say, he sent not *salutem,*

but *perniciem*. The duke had them, and read them by the intercessioun of that foresaid ungracious preest. The contents in some part were, that the Pope weill allowed of the interprise: he would write also to the King of Spaine to further it; but his present bussinesse of the chargable warres then in preparing against the Turke was the caus that money could not then be had for that sommer. And yitt, his ungracious Holinesse, after his accustomed sort, comforted them all not to despaire. So, it appeareth, that God yitt ordeaned him ather to be so zealous against the Turke, which surelie was a good act, or ellis his Holinesse' coffers are not now-a-dayes so full of money, as his bulls are of thunder-claps; so as the laike of money at that time happilie stayed the prosecutioun, to full effect, of this dangerous treasoun. And so, it is to be hoped, that by the same goodnesse of God, the mischeefe heerafter meant sall be diverted. It was also, by the devisers of these rebellions and invasiouns, determined that the realme of Ireland sould be assailed at the same time, thereby to weaken the queen's Majestie's forces, or to divert them frome defence of her self and her good subjects. Now, were it best to leave with these former branches, for it is said that this tree of treasoun and rebellioun hath a number of other branches of the verie like nature: that is, in devising how the Scotish queene sould have beene convoyed away, sometime by disguising, sometime by plaine force and raising of rebellioun, and so putt to libertie, and proclamed Queene of England and Scotland. But to encrease the errour of her stile, she sould have beene proclamed *King* and Queen of England and Scotland. It might be also reported, how her sonne sould have beene stollin out of Scotland, to be sent into Spaine, with suche like devices, tending to move troubles in the realme that was, and yitt is, (thanked be God,) quiett.

"Since I wrote this, I am the more boldenned to think all these things true, for that this present day the Lord Major of this citie of Londoun, with a number of his brethrein, were at the Starre Chamber with the queen's Majestie's counsell, where, I understand, by report of some of them that heard what was said by the coun-

sell to them, concerning the present case of the Duke of Norfolk, that the substance of all that is by me before reported is verie true, with muche more.

" At Londoun, the 13th of October 1571."

THE SIEGE RAISED.

The siege of Edinburgh beganne the 9th of October, and continued about eight or nyne dayes. Fourtie or fiftie foote of the south wall were beaten doun, but reinforced and filled up again in the night, by these within the toun. The peeces stelled on the Great Kirk, and upon the Kirk of Field, condemned the ordinance without, and shott through the regent's pavilioun, but did no harme. The want of powder and bullet constrained these without to raise the siege. It was reported that the Queen of England willed the noblemen not to hazard themselves upon the souldiours within the toun, for she would provide helpe sooner than they beleeved; and that thereupon the siege was raised.

TROUBLES IN THE NORTH.

In the meane time, there were no small troubles in the north. Arthure Forbesse, brother to the Lord Forbesse, a constant follower of the king's part, having a purpose to suppresse the insolencie of the Gordons, appointed a day and place for assembling the Forbesses. Adam Gordon, brother to the Erle of Huntlie, having privie intelligence therof, sett upon a troupe of the Forbesses, before they could joyne with the rest. Arthure was slaine, sindrie takin. The other troup and the rest who were scattered, fearing crueltie against the captives, gave place to the present time. The Lord Forbesse sent to court for supplee. Howbeit there was great need of men about Edinburgh, yitt the regent sent two hundreth footemen, and letters to the barons and gentlemen in the countrie about to joyne with him. When their forces were assembled, there were not found men sufficient to be captans among

them, for all the cheefes of the famileis were almost young men. Yitt the Lord Forbesse went fordward to Aberdeene, to drive from thence Adam Gordoun. Adam led his people out of the toun; compelled the burgesses to follow, to make his armie seeme the greater. They joyne together neere the toun. The footemen adventuring farther in pursuing of the Gordouns than their shott of powder would continue, were out of reache of defence, and putt to flight by the bowmen of the Gordons. Yitt were not manie slaine, but takin prisoners, becaus it was night; and among the rest, Alexander Lord Forbesse himself was takin, and William his secund sonne. Some relate this historie otherwise: that about the eighth or nynth of November, Captan Chisholme went with his band of an hundreth men out of Leith. When they came to Dundie, Captan Wedderburne tooke up another band. The two bands went with certane horsemen under Alexander Campbell's charge, to assist the Maister of Forbesse to suppresse the insolencie of Adam Gordon, who, a little before, had burnt the hous of Towy, the lady, and other twentie-foure persons.[1] The Maister of Forbesse and his freinds, certane of the Ladie Crawfurd's bowmen, sister to the Lady Towy, together with the assistance foresaid, and of Johne Keith, Maister of Marshall, and the Laird of Drwm, were marching fordward toward Aberdeene. But the Master of Marshall went home, becaus the Master of Forbesse would not follow his counsell, as he alledged. Upon Tuisday the 20th of November, the Maister of Forbesse and his companie came within a myle of the toun of Aberdeene. Adam Gordoun came furth with freshe men: yitt was he not willing to fight, becaus the other par-

[1] Among the revolting cruelties practised on both sides, during this fierce civil war, the murder so briefly mentioned here was one of the most flagitious. Towy House, which was in the keeping of the lady, was attacked by Adam Gordon, upon which she demanded and obtained a cessation of hostilities, until she could ascertain her husband's mind upon the terms of surrender. But while her messenger was sent for this purpose, under a twelve hours' assurance, Gordon caused his soldiers to pile up heather and wood against the walls, and set the heap on fire, by which the Lady of Towy, her children, and all within the building, perished, except one poor woman, who forced her way through the blazing combustibles.

tie had thrise als manie harquebusiers. But the souldiours entering too farre, Adam Gordoun sett upon them with his horse-men and bow-men, when he perceaved them to be without reache of defence, and their powder spent, and defeate them. Captan Chisholme, and a great number of his best souldiours, was slaine, the Maister of Forbesse himself, and manie of his freinds takin.

JEDBURGH THREATNED, BUT RELEEVED.

Thomas Ker of Phairnihirst, and Walter Scot of Balcleuche, gathered, beside their owne followers, the theeves of Liddisdaill, Ewisdaill, Eskdaill, West-Tiviotdaill, and some also out of the English borders, of purpose to spoile Jedburgh. They had from their assisters in Edinburgh 120 harquebusiers. Walter Ker, Laird of Cesfurde, was sent for to Jedburgh, who came and joyned with them. William Lord Ruthven came with 120 shott, and certan horse-men, to Dryburgh. Balcleuche and Phairnihirst came earelie in the morning to Jedburgh, with three thowsand men, to prevent the aide of the other partie. But the Lord Ruthven followed them at the heeles, and vexed them with shott, and frequent skirmishes. Cesfurde with his followers, and the toun of Jedburgh, came furth. Balcleuche and Phairnihirst their forces fearing to be enclosed, fled to places of defence, the most part to Hawick. The Lord Ruthven was within a myle of Hawick before they were aware. The enemeis amazed, led furth their horse and foote men, but were so persued, that the horse-men left the foote-men a prey. They hid themselves in littill woods adjoynned to the water, but in end yeelded themselves. They were suffered to depart, upon promise to returne and become true prisoners. Some were reteaned as pledges; the rest violated their promise, by the instigatioun of Sir William Kirkaldie.

THE QUEEN OF ENGLAND'S MESSAGE TO THE REBELLS RENEWED.

Upon the 23d of October, Mr Cairs returned from Berwick, and

delivered to the rebells in the castell the heeds following, subscrived with the queen's (signature,) becaus they alledged before, they could not answere for want of subscriptioun:—

"Her Majestie's pleasure is, that yee leave off the maintenance of civill discord, and give your obedience to the king, whom she will mainteane to the uttermost of her power. And if yee will so doe, she will deale with the regent and the king's partie to receave you in favour, upon reasounable conditiouns, for securitie of life and livings. In respect the Queene of Scots hath practised with the Pope, other princes, and her owne subjects, great and dangerous treasons against the state of the countrie, and destructioun of her owne persoun, she will never suffer her to be in authoritie, so farre as in her lyeth; nor to haye libertie whill she liveth. If yee refuse these offers, her Majestie will presentlie aide the king's partie with men, munitioun, and other things, against you. Wherupon her Majestie desireth your answere with speed."

About the beginning of November, certan letters were proclamed in Sanct Andrewes, at the regent's directioun, discharging the collectours of the kirk to gather the thrids, becaus, as the letters specified, ministers' stipends were not payed, nor that part which is allotted to the king's hous, out of the thrids. But it was thought that these letters were raised at the instance of the Erle of Morton, to whom the Rector of Sanct Andrewes (whom he had invested in the title of the bishoprick, reserving to himself the profite) had writtin, informing him that the collector would not suffer him to uplift certane dueteis belonging to the bishoprick. But these letters were recalled at the instance of the Laird of Dun, who had writtin to the regent as followeth:—

"I have thought it expedient, in writt, to lett your Grace know my judgement in these articles and heeds contained in your Grace's last writting. As to the pensioun appointed before to the regent's hous, as I understand, little difficultie will be therin, your Grace doing your duetie to the kirk; the which, I pray God your Grace may doe. As to the provisioun of benefices, this is my judgement: all benefices of tithes, or having tithes joyned or annexed thereto,

(which is takin up of the people's labours,) have the offices joyned to them; which office is the preaching of the Evangell, and ministratioun of the sacraments. And this office is spirituall, and therefore belongeth to the kirk, who onlie hath the distributioun and ministratioun of spirituall things. So, by the kirk spirituall offices are distributed, and men admitted and receaved thereto. And the administratioun of the power is committed by the kirk to bishops or superintendents. Wherefore, to the bishops and superintendents perteaneth the examinatioun and admissioun of men to offices and benefices of spirituall cure, whatsoever benefice it be, als weill bishopricks, abbaceis, and pryoreis, as the inferiour benefices. That this perteaneth, by the Scriptures of God, to bishops or superintendents, is manifest: for the Apostle Paul writteth unto Timothie, Cap. ii. ver. 2: 'These things that thou hath heard of me, manie being witnesse, the same deliver to faithfull men, who sall be able to teache others.' Heere the Apostle referreth the examinatioun to Timothie of the qualitie and abilitie of the person, where he sayeth, 'To men able to teache others.' And also, the admissioun he referreth, where he biddeth, 'Deliver to him the same, that is able to teache others.' And in another place, 1 Tim. Cap. v. ver. 22: 'Lay hands upon no man suddanlie, nather be partaker of other men's sinnes: keep thyself pure.' By laying on of hands is understood admissioun to spirituall offices, the which the Apostle will not that Timothie doe suddanlie, without just examinatioun of their maners and doctrine. The Apostle also writting to Titus, Bishop of Creet, putteth him in remembrance of his office, which was to admitt and appoint ministers in everie citie and congregatioun. And that he sould not doe the same rashlie, and without examinatioun, he expresseth the qualiteis and conditions of suche men as sould be admitted, as at lenth is conteaned in the first chapter of the Epistle foresaid. The deacouns, which were chosin in Jerusalem by the whole congregatioun, were receaved and admitted by the Apostles, and that by laying on of their hands, as Sanct Luke writteth in the sixt chapter of the Acts of the Apostles. Thus we have expressed plainlie by Scriptures, that to the office of a bishop

perteaneth examinatioun and admissioun to spirituall cure and office, and also to oversee them who are admitted, that they walke uprightlie, and exerce their office faithfullie and purelie. To tak this power from the bishop or superintendent is to take away the office of a bishop, that no bishop be in the kirk; which were to alter and abolishe the order which God hath appointed in his kirk. There is a spirituall jurisdictioun and power which God hath givin unto his kirk, and to these who beare office therin; and there is a temporall power givin of God to kings and civill magistrats. Both the powers are of God, and most agreing to the fortifeing one of another, if they be right used. But when the corruptioun of man entereth in, confounding the offices, usurping to himself what he pleaseth, nothing regarding the good order appointed of God, then confusioun followeth in all estats. In the First of the Kings, Cap. xii., it is written, that Jeroboam king, in presumptioun of his authoritie, made preests in his realme, expresse against the order which the Lord in these dayes had appointed tuiching the preesthood; wherupon followed destructioun of that king and his seed, and likewise of all others that followed him in that wickednesse. For the better understanding of this mater, Christ hath givin furth a rule which ought to be weyghed of magistrats and of all people, saying, 'Give to Cæsar that perteaneth to Cæsar; and to God that perteaneth to God.' The kirk of God sould fortifie all lawfull power and authoritie that perteaneth to the civill magistrat, becaus it is the ordinance of God. But if he passe the bounds of his office, and enter within the sanctuarie of the Lord, medling with suche things as apperteane to the ministers of God's kirk; as Uzziah the King of Judah did, 2 Paral. xvi., entering in the Temple to burne incense, the which perteaned not to his office, then the servants of God sould withstand his unjust interprise, as did the preest at that time withstand the King of Judah; for so they are commanded of God. The servants of God, when suche wickednesse occurreth, sould not keepe silence, flattering princes in vaine pride, but withstand and reprove them in their iniquitie: and who doeth otherwise is unworthie to beare in God's kirk anie office. A greater offence or

contempt of God and his kirk can no prince doe, than to sett up by his authoritie men in spirituall offices, as to creat bishops and pastors of the kirk; for so to doe, is to conclude no kirk of God to be; for the kirk can not be, without it have the owne proper jurisdictioun and libertie, with the ministratioun of suche offices as God hath appointed. In speeking this tuiching the libertie of the kirk, I meane not the hurt of the king or others in their patronages, but that they have their priviledges of presentatioun according to the lawes; providing alwise that the examinatioun and admissioun perteane onlie to the kirk, of all benefices having cure of soules. That it sould not appeare that the pastors of the kirk seeke of avarice and ambitioun to have possessioun of great benefices, your Grace sall understand that the kirk hath continuallie suted, (of old als weill as now,) as their articles, concluded in the Generall Assemblie, and consented to and subscrived by the most part of the nobilitie, which are to be produced, beare; and was propouned to the queen, the king's Majestie's mother; to witt, that when ever anie of the great benefices vaiked, having manie kirks joyned thereto, that all the kirks sould be divided, and severallie dispouned to severall men, to serve everie one at his owne kirk: of which minde all that beare office in the kirk continue; whereby it may be knowne that they seeke not of avarice suche promotioun as is alledged. And I doubt not if others of the nobilitie were als weill purged of avarice and other corruptions as the ministers of the kirk, they would have agreed to fulfill that thing which they subscrived with solemne oath. And as yitt, the kirk most humblie suteth of your Grace and counsell to have the same fulfilled. But if this cannot be granted, I meane the dismembring (as they call it) of great benefices, I trust, in respect of this confused troublous time, the kirk will consent (the benefices and offices joyned therunto being givin after the order before spokin, that the priviledge and libertie of the kirk be not hurt) to assigne suche profites as may be spaired above the reasounable sustentatioun of the ministrie of the kirks of suche benefices, to the maintenance of the authoritie and commoun effaires for the present, whill further order

may be tane in these maters. For the kirk contendeth not for worldlie profite, but for that spirituall libertie which God hath givin unto it; without which be granted, the servants of God will not be satisfied, but will oppone themselves against all power and tyrannie which presumeth to spoile the kirk of the libertie therof; and rather to dee than to live under that miserable boundage. Their lives are not to them so deare as is the honour of God and libertie of his kirk. I heare say, some men brag and boast the poore ministers, to tak their lives from them: but I wish that suche men conteaned themselves within bounds. For they are not sure of their owne life; and to runne that race will mak it more short. Of old, the Papists called the truthe heresie; and some now call the truthe treasoun. We may perceave, in all ages and times, Satan wanteth not his servants to impugne the truthe. As to the questioun, If it be expedient a superintendent to be where a qualified bishop is, I understand a bishop or superintendent to be but one office; and where the one is the other is. But having some respect to the cace whereupon the questioun is moved, I answere, The superintendents that are placed ought to continue in their offices, notwithstanding anie others that intruse themselves, or are placed by suche as have no power in suche offices. They may be called bishops, but are not bishops, but idols, (Zech. xi. 17,) sayeth the prophet. And, therefore, the superintendents which are called, and placed orderlie by the kirk, have the office and jurisdictioun; and the other bishops, so called, have no office nor jurisdictioun in the kirk of God; for they enter not by the doore, but by another way, and therefore are not pastors, sayeth Christ, but theeves and robbers. I can not but lament frome my verie heart, that great misorder used in Stirline at the last parliament, in creating bishops, placing them, and giving them vote in parliament as bishops, in despite of the kirk, and high contempt of God. Having the kirk oppouning itself against that misorder, they were not heard, but boasted with threatnings. But their boasting was not against man, but against the eternall God, whose ordinance publictlie they transgressed. What followed therupon is knowne. God hath power to destroy and to save: he is a

mightie Lord, able to preserve the innocent, and cast doun the pride of the mightie. I heare some were offended with the commissioners of the kirk at that time, but without caus; for they passed not the bounds of their commissioun; and the whole kirk will affirme their proceedings, and insist farther in that mater: for if that misordered creation of bishops be not reformed, the kirk will first compleane unto God, and also unto all their brethrein, members of the kirk within this realme, and to all reformed kirks within Europe. Some counsellers think now good time to conqueis from the kirk (being now, as they judge, weake and poore) priviledges and profites to the temporall authoritie. But if there were no other particular respects nor the authoritie, I judge they would not travell so bussilie. But what respect so ever they have, their unrighteous conqueist and spoile of the kirk sall never profite them, but rather be a caus to bring plague and destructioun both upon the head and counsellers of suche abominatioun. Becaus the servants of God speeke in this mater, reproving men's corruptions, they are called proud: that miskenne their owne place, and know not with whom they deale; as though they were gods, and yitt are but flesh. Lett suche men understand, of whatsoever estat they be, that the ministers of God's kirk have receaved an office of God above them, wherunto they ought to be subject and obedient; and have receaved a richer treasure than they, though it be in earthlie vessels, as sayeth the apostle Sanct Paul, 2 Cor. cap. iv. ver. 7; and have receaved a power of God to cast doun and destroy the pride of man, and to bring in subjectioun all things that exalt themselves against God, 2 Cor. x. 5. The Lord will not that his servants, in executing and using their office, feare men, how mightie and potent so ever they be, as it is writtin, Isay li. 7, "Feare yee not the reproache of men, nather be affrayed of their rebookes and threatnings. For the mothe sall eat them up as a garment, and the worme sall eat them like wooll: but my righteousnesse sall be for ever, and my salvatioun from generation to generation." The Spirit of God entering in the hearts of his servants, giveth them suche a taste of his power and Majestie, and a sight of his judgements, that

with them the enemeis of God and his kirk are nothing regarded, but counted as dust before the wind, and as waxe before the fire; unable to stand, but to perish in the day of the Lord's visitatioun. They will, according to their duetie, reprove ungodlinesse, and withstand all iniquitie; and as to the malice and troubles raised against them by the wicked powers of the world, to their owne damnatioun, they will patientlie endure, for therin consisteth the patience of the sanctes: for they see a glorious end to follow therupon. Some men in their corruptioun (as their words have declared) purpose, in time of trouble, craftilie to handle the kirk, whill all thir troubles be pacified. Lett suche men understand, that suche evill purposes make the troubles to continue the longer. But though the troubles were pacified, and they confederated with England, France, and Spaine, and all other earthlie kingdoms, yitt sall they not be able to destroy the kirk of God and libertie therof. For the Mightie Lord, who hath beene a protectour of his kirk in all ages, and hath destroyed and cast doun great impyres and kingdoms that made battell against his kirk, sall use the same judgements against all men that in thir dayes intend the like. For He beareth to His kirk a perpetuall love, and a perpetuall protectioun and defence to it, in this time and for ever."

AN ADMONITIOUN OF DAVID'S TO KINGS AND MAGISTRATS.

"*Be wise, O yee kings; be learned, yee that are judges of the earth. Serve the Lord with feare, and rejoice before him with reverence. Kisse the Sonne, least the Lord be angrie, and so yee perish from the right way; for his wrathe sall shortlie be kindled.*"

Of Montrose, the 10th of November 1571.

In this letter, we find that the superintendent could not weill distinguish betwixt a bishop and a superintendent; and that he taketh Titus for a bishop; which errour he acknowledged afterwards, when the Secund Booke of Policie was contrived. Of the differ-

ence betwixt bishops and superintendents, see before, page 254.[1] The superintendent wrote another letter, the 14th of November, to the regent, wherin he regrateth the inhibitioun made, that nothing be answered to the collectors of the kirk. The regent wrote an answere to the Laird of Dun, superintendent, for discharge of the letters of inhibitioun, as followeth:—

"RIGHT TRUST COUSIN,—After most heartilie commendations: In place of your self, whom we have long looked for, we receaved this day two letters of yours, one from Montrose, the 10th, another from Perth, the 14th of this moneth, conteaning other effect and mater nor our expectatioun was, in consideratioun of our good meaning, to have travelled by all possible meanes for quietting of suche things as were in controversie, that the ministers of the kirk might have found some ease and repose, and we releeved of a fasheous burthein, that we have in default of a certane forme accorded unto the dispositioun of benefices great and small. Our said meaning, we perceave, is otherwise takin; which we understand to proceed from other private fountanes than your owne good nature. And so will we not preasse muche to contend with you in writt, by reasoun of this mater, as the weight and gravitie therof requireth. We have beene verie desirous, indeid, to speeke your self speciallie, since we were burthenned with this charge of regiment, and your owne presence, peradventure, might have supplied some things that your letters find fault with. But seeing maters taken as they are, that all occasioun of grudge may be removed, for anie thing done by us, we send you heerwith again a discharge of the inhibitioun latelie givin. For as we have lived heeretofore (praised be God) honorablie upon our owne, so sall we forbeare to crave the collectors, whill this mater be better considered of. And yitt, when indifferent men sall looke upon the words of the inhibitioun, wherefore it is givin, and for how short space it sould have lasted, we trust they sall thinke, that it ought not to be tane in suche part as we

[1] This refers to the Preface to the First Book of Discipline, which the author did not transcribe into his History, when he copied the forms and rules, as they are to be found in the second volume of our edition.

see it is takin. If collectors be subjects to the king, (of others we will spaire to speake at this time,) they might compeare when they are charged, and not write in contempt. Lett als manie charges passe as they please, they will obey none. And this we meane, of suche as be most ewest: what the other regents had intended to be takin up, that we sall be frustrated therof. Which yitt was not the greatest occasioun why we desired some of the superintendents to be heere at this time. But thir maters tuiched in our letter sent you, which albeit we sent it for your privat informatioun, yitt being skansed, we see rather extremitie meant, to stoppe the helping of the mater, nor otherwise anie mentioun of quietting or ordering things amisse, as truelie our meaning it was, and is still, to procure the reforming of things disordered in all sorts, als farre as may be, reteaning the priviledge of the king, crown, and patronage. The default of the whole standeth in this, that the policie of the Kirk of Scotland is not perfyte; nor anie solide conference among godlie men, that are weill willed, and of judgement how the same may be helped. And for corruptioun, which daylie increasseth, whensoever the circumstances of things sall be weill considered by the good ministers that are nather bussie nor over-desirous of promotiouns to them and theirs, it will be found, that some have beene authors of things that no good policie in the kirk can allow. Wheranent we thought to have conferred speciallie with your self; and to have yeelded to you in things reasonable, and craved satisfactioun of other things alike reasonable at your hands, and by your procurement. If yee see no caus, that anie who beareth office in the Kirk of God sall come to Leith, I must take patience, and differe the mater to the conventioun of the estats of the realme, by whom I was burthenned with this office; and will make them, and all the godlie in Christendome, judges betwixt them bearing office in the kirk (yee write of) and me, whether I have not sought their satisfactioun; or if they have not neglected the meanes and occasions that were most appearand to bring quietnesse to the poore ministers of the kirk. And in the meane time, I will answere no further to the speciall points of

your letters, but will keepe the same to my self, whill time and better advice worke effects. If yee of your self onlie have writtin, then there is one way to be considered of. If by commoun consent of anie number of them bearing office in the kirk, then are they to be otherwise answered, as time and place serveth. And so, for this time suffering, and ceassing to make longer letter, committs you to the protectioun of Almightie God.

"Your assured good freind,

"JOHNE, REGENT.

"At Leith, the 15th of November, 1571."

THE ERLE OF MORTON SENT TO BERWICK.

The Erle of Morton went out of Leith toward Berwick the 17th of November. The Lord Hounsdane was so restricted by instructions, as that he could doe nothing but minasse them in the castell, and heare what was craved and offered by the other partie, and so to advertise the queen and counsell. The marishall was to passe from Berwick to court, to give informatioun of the state of this countrie; wherupon it is thought, resolutioun sall be takin tuiching the sending of an armie.

After that the Erle of Morton returned from Berwick, letters were directed, to answere the new Bishop of Sanct Andrewes, Mr Johne Dowglas, of all the fruicts of the said bishoprick.

A CONFERENCE AT LEITH.

Upon Thursday, the sixt of December, the Superintendent of Fife and Mr Johne Dowglas came to Leith, becaus the Superintendent of Angus, at the regent's desire, had writtin for the superintendents, and some other commissioners of the kirk, that some order might be takin about provisioun of the king's hous out of the thrids; and to consult upon some maters tuiching the policie of the kirk, and dispositioun of benefices. But the mater was delayed till a conventioun appointed to be holdin in Januar.

CAPTAN HACKERSTON AND CAPTAN MITCHELL TAKIN.

Upon the tenth of December, Captan Hackerston was takin again, and fiftie souldiours with him, and seven or eight slaine. Captan Mitchell was also takin,[1] and six or seven with him, following the chasse within the Kirk of Feild Port. It was thought, notwithstanding, that there was collusioun betwixt the two captans; for if the warres ceassed, they would gett no more wages.

MINISTERS IN THE NORTH TROUBLED BY THE REBELLS THERE.

The ministers in the north, speciallie in Murrey, were at this time rigorouslie handled. A certan number of them were called, upon the 13th of December, before the Laird of Auchindoun, and the Shireff of Murrey, and their deputeis, to a lieutenant court, to underly the law for treasonable defection from the queen's authoritie, and for praying for the king, and controveening the act of parliament made by the queen's commissioners; and blaspheming of her Highnesse, in calling her an idolater, adulterer, murtherer, and Jessabell. Some compound privatlie, others were fugitive. Some came in will, which will was declared to be this:—To renounce the king's authoritie, and give obedience to the queen and her authoritie; to pray for her and her lieutenants, in their publict prayers; which they promised, and found sovertie to performe. Some were forced, for feare of their lives, to find sovertie to underly the law, the tenth of Januar nixt, in Aberdeene. Sindrie had beene compelled before to leave the countrie, becaus they would not pray for the queen; but none were summouned by order of law till this time.

[1] This Mitchell was evidently one of those Dalgetties who would serve any cause for pay and plunder. His conduct is thus commemorated in the Diurnal:—"In this mene tyme, the wedder was vehement cold, and the coillis were verie scant in Edinburgh; for there wes nane that transportit coillis to Edinburgh, but behuifit them to pay tribute to Capitane Mitchell, ilk burden vj. pence." Such characters, however, were produced in plenty during the course of this war.

M.D.LXXII.

AN OFFER OF A COMBAT.

In the beginning of Januar there was sent doun a drumme from Edinburgh to Leith, to demand if they would fight, fiftie against fiftie. When these in Leith offered to fight in the king's actioun, the others refused.

MR CARIE SENT TO BOTH PARTEIS.

Upon the first of Januarie, Mr Carie, sonne to the Lord Hounsdane, came to Leith, and from thence went to the castell, and craved that the toun might be made patent to the king's lieges.

CALUMNEIS RAISED UPON MR KNOX.

About this time the rebels raised calumneis against the servant of God, Mr Knox, becaus he had threatned that the Lord would punishe their cruell murthers and oppressiouns. They spread a bruite, that Mr Knox was banished Sanct Andrewes, becaus in his yaird he had raised some sancts, among whom came up the devill with hornes; which, when his servant, Richard Bannatyne, saw, he ranne wood, and so died.[1]

[1] It might appear a bold attempt in the manufacture of such a falsehood, that they should have hazarded the death of Bannatyne among the other particulars, he being not only alive, but the recorder of this most preposterous figment. But the medium of communication between St Andrews and Edinburgh was, at this time, so interrupted and tedious, that the tale could have a chance to serve a temporary purpose, before it could be effectually contradicted. Lady Hume and some others were so persuaded of its verity, that they thronged round the postman of St Andrews, inquired into the truth of it, and would not be convinced that John Knox had not been actually banished from St Andrews, and that Bannatyne was still alive, and had never seen the devil raised in his life.

THE CONVENTION HOLDIN AT LEITH.

Upon the 12th of Januar there was a conventioun of superintendents, commissioners, ministers, commissioners from touns and kirks, in Leith. This meeting is called in the Register a Conventioun, and not a Generall Assemblie of the Kirk of Scotland. The ordinar Assemblie was appointed, at the last Generall Assemblie, to be holdin at Sanct Andrewes, and to beginne the 6th of Marche. Suche conveened as were sent for, and warned before. Yitt they concluded, that this present conventioun sall have the strenth and force of a Generall Assemblie; and that all things be treated and ended heerin, which might goodlie be done, and used to be concluded in anie Generall Assemblie: that not the lesse, all suche brethrein as might convenientlie travell, conveene to the Generall Assemblie, which is to beginne at Sanct Andrewes the sixt day of Marche nixt to come; and that the Moderator continue till that time, and to make the exhortatioun according to the order. Mr Gilbert Gairdin, Moderator of the last Assemblie, was continued till the Assemblie which was to be holdin in Marche.

A COMMISSION.

They gave full commissioun and power to Johne Areskine of Dun, knight, Superintendent of Angus and Mernes, Mr Johne Winrame, Superintendent of Fife and Strathern, Mr William Lundie of that Ilk, Mr Andrew Hay, Commissioner of Cliddisdaill, Mr David Lindsey, Commissioner of Kyle, Mr Robert Pont, Commissioner of Murrey, Mr Johne Craig, one of the ministers of Edinburgh, or anie foure of them, to compeere before my lord regent's Grace, and so manie of the Lords of Secreit Counsell as his Grace sall appoint, in Leith, this instant moneth of Januar; and there, in the kirk's name, most humblie propone, shew, and declare the articles, heeds, supplicatiouns, and complaints delivered to them by the

kirk presentlie assembled; most humblie requeisting for answere thereto; to confer and reasoun with his Grace and counsell, and to conclude therin, conforme to the instructions givin to them by the kirk, &c., and to report the saids heeds and articles, with their conclusiouns therupon, to the nixt Assemblie, to beginne at Sanct Andrewes the sixt of Marche nixt to come; to the effect the same may be insert among the acts of the Generall Assemblie, &c., firme and stable, &c. *Item*, Ordeanneth the saids brethrein to penne the heeds and articles for the kirk, and to deliver the double of them to the clerk, to be registred in the Register of the Assemblie.

LICENCE GRANTED TO MR ROBERT PONT TO BE A LORD OF SESSION.

Mr Robert Pont, Commissioner of Murrey, dimitted his commissioun, *simpliciter*, in the Assemblie's hands, requeisting them to provide for another visiter in these bounds. They understanding that my lord regent's Grace and counsell was desirous that the said Mr Robert sould accept the place of one of the Senators of the Colledge of Justice, gave licence to the said Mr Robert to accept and use the said place of a Senatour in the said Colledge of Justice, what time he sall be required thereto; providing alwise, that he leave not the office of the ministrie, but that he exerce the same, as he sall be appointed by the kirk; and that the said licence to the said Mr Robert be no preparative to anie other minister to procure suche promotioun, without the Assemblie's advice had of before. By this corrupt act we may judge how corrupt in judgement this conventioun was. They gave power to some few commissioners, yea, to anie foure of them, to agree with the Lords of Secreit Counsell, and to conclude upon the policie of the kirk, and dispositioun of benefices; whereas the custome was before, in maters of suche weight, that the commissioners of the Assemblie appointed to treat of their effaires were ordeaned to report to the Assemblie before anie thing was concluded.

The instructiouns, according to which the commissioners sould

have treated with the Lords of Counsell, are not extant in the register. They were in haste, and might not stay, as they confesse, in the thrid sessioun, and therefore committed maters of greatest weight to commissioners. The commissioners conveened at the same time in Leith with the Lords, who were hunting for fatt kirk-livings. At that meeting, bishops, archdeacons, deanes, chapters, chancellers, were agreed upon, and to stand during the king's minoritie; but bishops to have no further jurisdictioun nor superintendents have. The forme of the agreement heere followeth :—

THE ARTICLES AND FORMES OF LETTERS CONCERNING PROVISION OF PERSONS TO BENEFICES AND SPIRITUALL PROMOTIONS, AGREED UPON BY THE COMMISSIONERS OF THE KING'S MAJESTIE AND THE REFORMED KIRK OF SCOTLAND, IN THEIR CONFERENCE HOLDIN AT LEITH, IN THE MONETH OF JANUAR 1571 AFTER THE OLD ACCOMPT; BUT 1572 AFTER THE NEW.

"*Apud Leith,* 16 *die mensis Januarii, Anno Domini* 1571.

"The whilk day my lord regent's Grace, with advice of the Lords of Secreit Counsell, in our soveran lord's name and authoritie, giveth and granteth power and commissioun to the noble and mightie lords, James Erle of Morton, Lord of Dalkeith, Chanceller of Scotland, William Lord Ruthven, Treasurer, Adam Bishop of Orkney, Robert Commendatar of Dumfermline, Secretar to our soveran lord, Mr James Makgill of Rankeillour Neather, Clerk of Register, Sir Johne Bellendin of Auchinoull, Knight, Justice-Clerk, Mr William Lundie of that Ilk, Coline Campbell of Glenurquhy, or anie foure of them, to conveene, advise, treat, and conclude with the superintendents and ministers in the kirk, or commissioners authorized by them, anent all maters tending to the ordering and establishing of the policie of the kirk, the sustentatioun of ministers, and support of the king's Majestie and commoun effaires of the realme; to continue in suche order as sall be agreed upon, whill his Highnesse' perfyte age, or whill the same be altered and

abolished by the three estats in parliament: Promitting to hold firme and stable, all and whatsomever the saids commissioners doe and conclude in the premisses. Subscrived by the said lord regent, day, yeere, and place foresaid.

(*Sic subscribitur*) "JOHNE, REGENT."

"Apud Leith, the 15th day of Januar.

"The whole brethrein conveened, in one voice and minde give full commissioun and power to the generous and loving brethrein, Johne Areskine of Dun, Knight, Superintendent of Angus and Mernes, Mr Johne Wynrame, Superintendent of Fife and Stratherne, Mr William Lundie of that Ilk, Mr Andrew Hay, Commissioner of Renfrew, Cliddisdaill, and Lennox, Mr David Lindsey, Commissioner of Kyle, Carict, and Cunninghame, Mr Robert Pont, Commissioner of Murray, Mr Johne Craig, one of the Commissioners of Edinburgh, and Adam Foulertoun, one of the Commissioners for the toun of Edinburgh, or to anie foure of them, to compeere before my lord regent's Grace, or so manie of the lords of his Grace's counsell as he sall appoint, this instant moneth of Januar, or therafter, to the sixt day of Marche nixt to come; and there, in the kirk's name, most humblie propone, show, and declare articles, heeds, supplicatiouns, complaints, delivered to them by the kirk presentlie assembled; most humblie requeisting for answere thereunto: conferre, reasoun, and conclude with his Grace and counsell foresaid, upon suche heeds and articles as sall be propouned to them by his Grace and counsell, conforme to the instructions givin to them by the present Assemblie; and to consent to all and whatsomever sall be treated in the said time, tending to the glorie of God, setting fordward the preaching of his Word, and mainteaning the king's Majestie's authoritie and commoun wealth of the realme: Whatsomever happeneth to be concluded on by them in the premisses, to report the same to the nixt Assemblie, to beginne in St Andrewes the sixt day of Marche nixt to come. And to the effect the same may be inserted in the register of the Assemblie of the kirk, firme and stable holding, and for to hold, all and whatsomever

the said brethrein, or anie foure of them, in the premisses conclude to be done, &c. Givin in the Generall Assemblie, and secund sessioun therof, by the clerk of the same, day, yeere, and place forsaid."

ANENT ARCHBISHOPRICKS AND BISHOPRICKS.

"At Leith, the 16th day of Januar.

"It is thought good, in consideratioun of the present state, that the names and titles of archbishops and bishops are not to be altered or innovated, nor yitt the bounds of the dioceses confounded; but to stand and continue in time comming, as they did before the reformatioun of religioun; at the least, to the king's Majestie's majoritie, or consent of parliament.

"That persons promoted to archbishopricks and bishopricks be (so farre as may be) endued with the qualiteis specifeid in the exemples of Paul to Timothie and Titus.

"That there be a certane assemblie or chapter of learned ministers annexed to everie metropolitan or cathedral seate.

"To all archbishopricks and bishopricks vacant, or that sall happin to vaike heerafter, persons qualified to be nominated within the space of a yeere and day after the vacance; and the persons nominated to be threttie yeeres of age at the least.

"The deane, or, failing the deane, the nixt in dignitie of the chapter during the time of the vacance generall, * * *

tioun in the kirk. As alsua, that it be lawfull to als manie others of the chapter as please to be present at the said admissioun, and to vote theranent."

ANENT ABBACEIS, PRYOREIS, AND NUNREIS.

"That no dispositioun or provisioun sall be made of anie abbaceis now vacant, or that heerafter sall vaike; nor no letters sall be granted by the Lords of Sessioun, for answering the fruicts of anie part therof, to anie persoun or use, whill first it be considered what portioun of the rents consisteth in kirks and tithes, and what portioun in temporall lands. And, first of all, provisioun sall be made, by advice of the bishop or superintendent within whose province the abbacie or pryorie lyeth, how the ministers belonging thereto sall be susteaned of the fruicts belonging to the same kirks, if it be possible, by speciall assignatioun of so muche yeerlie stipeind as sall be found reasonable, and be appointed by the bishop or superintendent of the province, and suche of the king's Majestie's counsell as sall be directed to accord with him therupon.

"As for the remanent profite and title of the benefice, becaus the possessour of the same must supplee the place of one of the ecclesiasticall estat in parliament, needfull it is that he who sall have the style, title, and place of abbot, pryour, and commendatare, be weill learned and qualifeid therefore. And for triell of his qualificatioun, the king's Majestie's letters commendatorie, under the signet, sall be directed to the archbishop or bishop in the province wherin the abbey or pryorie lyeth, to trie and examine his learning and habilitie; and upon testimoniall of his habilitie frome the ordinar, the person nominated sall compeere before the king and his regent, and give his oath in forme, as the bishop doeth. And then sall the king's letters and provisioun under his great seale be exped, direct to the ordinar bishop of the province, or others bruiking the digniteis or superiour office in the seate, to give him.

"The present convent of anie abbey or pryorie being whollie departed this life, in their places the ministers serving the kirks of the

same abbey or pryorie sall be the chapter or assessers to the commendatare, in giving of anie infeftments, tacks, rights, or dispositions of rents concerning the living.

"That the persons thus provided and admitted commendatars may be promoved, as they sall be found worthie, to be Senators for the spirituall estat in the Colledge of Justice, or may be imployed by the king in the necessar effaires of the commoun wealth; it being first provided, that no kirk belonging to their living be destituted of ministratioun, and the consent and benevolence of the ordinar also obteaned thereto."

ANENT BENEFICES OF CURE UNDER PRELACEIS.

"All benefices (under *Prelatus*) having cure of soules, which ather of old perteaned to the king's owne patronage, or newlie are come in use, and by parliament ordeaned to be at his patronage, sall so continue, conforme to the acts of parliament; and that the laick patrons alwise bruike and use their owne rights.

"None sall be admitted or receaved to anie benefice with cure, but suche as are qualified; and sall then enter in the functioun of the ministrie, als soone as they tak up anie fruicts of the benefice, and so continue.

"None sall be admitted to the office of a minister within the age of twenty-three yeeres compleit.

"Where personages and vicarages are conjunct, so sall they remaine, and likewise where they are separated; and conjunct benefices so to continue.

"It sall not be lawfull to anie entering in the functioun of the ministrie to leave that vocation, and the place appointed for his residence, above the space of fortie dayes in the yeere, without a lawfull impediment, and licence of the king and ordinar where the benefice lyeth, under the paine of deprivatioun.

"All suche as are, or sall be, found worthie or qualified ministers and readers, sall be planted and distributed throughout the whole realme; and that there be readers speciallie appointed at everie se-

verall kirk where convenientlie it may be: Which being found qualified by the bishop or superintendent, and entering by the lawfull order of the true reformed kirk, sall minister the sacrament of baptisme, and make mariages, after proclamatioun of bannes lawfullie and orderlie, as effeires.

"All vicarages, of or within the yeerlie value of fortie punds, may be conferred to readers; but, if they exceed that rent, to be admitted to them that can preache and minister.

"*Item*, Lyke as where the rent of the benefice is small, the stipend must be eeked, so, where the rent of the benefice is greater nor the appointed stipend of the place, the superplus sall ly, and be comptable to the supplee of other rowmes not so plenteous, by the ordinar, with advice of suche as the king sall appoint to accord therupon.

"That all commoun kirks be dispouned, as benefices, to qualified persons.

"That none be admitted heerafter to pluralitie of benefices with cure.

"The last presentatioun of the laick patron sall be admitted and preferred.

"The universiteis within which there is exercise of liberall sciences, sall bruicke the patronage of the kirks and chaplanreis annexed to their colledges; presenting qualified persons to the kirks, and bursars within their owne colledge to the chaplanreis: Wherin, if they faile, the ordinar to dispone the same, *jure devoluto*; and failing the ordinar, the king.

"Considering that the purgatioun and conservatioun of religioun cheefelie apperteaneth to Christian and godlie kings, princes, rulers, and magistrats, and that it is most requisite that the kirks within this realme be served with sound religioun, obedient to the authoritie of the king's Majestie, our soveran lord, It is deliberat, concluded, and ordeaned by the lord regent's Grace, in his Highnesse' name, with advice of the lords of his Highnesse' Privie Counsell, and of the commissioners of the reformed Kirk of Scotland, that everie persoun who sall intend to be a minister of God's holie Word

and Sacraments, or to bruike anie spirituall promotioun, or possesse anie living whatsomever furth of anie benefice or spirituall promotioun, sall, in the presence of the bishop or superintendent of the diocese where he hath, or sall have, ecclesiasticall living, being title of benefice, stipend, pensioun, or portion, declare his assent, and subscrive all the articles of religioun which onlie concerne the confessioun of the true Christian faith, and the doctrine of the sacraments conteaned in the acts of parliament holdin in the first yeere of the raigne of our soveran lord that now is, intituled, 'The Confession of the Faith and Doctrine beleeved and professed by the Protestants of the realme of Scotland, exhibited to the estats of the same in parliament, and by their publict votes authorized, as a doctrine founded upon the infallible Word of God,'—and give their oath, for acknowledging and recognoscing of the king's Majestie and his authoritie, according to the forme presentlie sett out; and sall bring from the bishop or superintendent a testimoniall, in time of sermoun or publict prayers in the kirk, (where by reasoun of his ecclesiasticall living he ought to attend, or of the fruicts wherof he receaveth commoditie;) read both the testimoniall and the Confessioun, and of new make the said oath within the space of a moneth after his admissioun or promotioun to the same ecclesiasticall living, or yeerelie commoditie, under the paine, that everie persoun that sall not doe as is above appointed within the space foresaid, sall be *ipso facto* deprived, and all his ecclesiasticall promotiouns sall be vacand, as if he were then naturallie dead: And that all persouns to be admitted to *prælatus*, wherby they are to have vote in parliament, mak the said oath, in presence of the king, his regent, or Privie Counsell, within the said space, under the paine above-writtin.

"It is deliberated, thought expedient, and commanded, that all bishops, superintendents, preachers, and ministers of the Word of God, sall earnestlie and diligentlie admonishe the people within their cures, to continue in their faith and obedience to the king's Majestie, our soverane lord, his regent and authoritie; or whosoever hath made defectioun, or heerafter sall make defectioun, from

the same obedience, to admonishe them; and, incace of their wilfulnesse and obstinacie, to proceed against them by censures of the kirk, to excommunicatioun.

OF PROVESTREIS OF COLLEDGE KIRKS, AND OTHER BENEFICES UNDER PRÆLATUS, WHERETO DIVERSE KIRKS ARE ANNEXED.

That no dispositioun or provisioun be made of anie deanreis, provestreis of colledge kirks, or other benefices wherunto diverse kirks are annexed, now vacant, or heerafter sall happin to vaike; nor that no letters be granted by the Lords of Sessioun for answering the fruicts of anie part therof, to anie persoun or use, whill first it be considered what is the rent of the benefice, and wherin it consisteth: and that provisioun be made how the ministrie of everie one of the severall kirks sall be susteaned of the fruicts of the same kirks, if it be possible, by speciall assignatioun of so muche yeerelie stipend as sall be found reasonable, and be appointed by the bishop or superintendent of the province, and suche of the king's counsell as sall be directed to accord with him therupon.

Item, If the living both of the provestrie and prebendreis be found upon the fruicts of a parish kirk, the kirk sall be first provided of a minister, and special assignatioun made for his payment before the title of the whole be dispouned to anie one persoun.

OF THE DISPOSITION OF PROVESTREIS, PREBENDREIS, COLLEDGE KIRKS, FOUNDED UPON TEMPORALL LANDS OR ANNUELLS; AS ALSO OF CHAPLANREIS, BEING OF THE LIKE FOUNDATIOUN; FOR SUPPORT OF THE SCHOOLES, AND INCREASSE OF LETTERS.

"All provestreis and prebendreis in colledge kirks, founded upon temporall lands or annuells, and all chaplanreis being of the like foundatioun, now vacand, or that sall happin heerafter to vaike, sall be givin and bestowed by the king's Majestie, or other lawfull

patrons, to bursars and students in Grammar, Art, Theologie, the Lawes, or Medicine, in maner following: That is to say, the certan rentall sall be required by the bishop or superintendent of everie diocese, of all provestreis, prebendreis, or chaplanreis, being within the diocese; and, therupon, a booke sall be delivered by them to the regent, and remaine in the register, betwixt and the last day of Marche nixt to come.

"*Item*, All provestreis, prebendreis, and chaplanreis, being of or within the rent of twentie merks, sall be givin to a bursar in Grammar; and of the summe of twentie pund, or within above twentie merks, to a bursar in Art; and all of the summe of threttie pund, or within above the summe of twentie pund, to a bursar in Theologie, Lawes, or Medicine.

"None sall be admitted a bursar in Grammar, being under the age of sevin yeeres, nor past the age of fourteene yeeres; and sall bruike the commoditie during the space of seven yeeres onlie.

"None sall be admitted bursar of Theologie, the Lawes, or Medicine, whill he first passe Maister in one of the universiteis of this realme; and sall bruike the commoditie during the space of six yeeres onlie.

"None sall be admitted a bursar in Art under the age of fourteene yeeres; and sall bruike the commoditie during the space of five yeeres onlie.

"All bursars in Grammar sall be presented to a grammar schoole in one of the universiteis, or other famous schoole in one of the cheefe burghes or touns of the realme.

"All bursars or students nominated by suche provestreis, prebendreis, and chaplanreis, within the dioceses of Aberdeene, Murrey, Rosse, Cathnesse, Orkney, sall be presented to studie their Art, Theologie, the Lawes, or Medicine, in the Colledge of Aberdeene.

"All within the dioceses of Sanct Andrewes, Dunkelden, Dumblane, and Brechin, to studie Art, Theologie, Lawes, or Medicine, within one of the colledges of the Universitie of Sanct Andrewes, where my lord regent's Grace or the patrons sall appoint.

"All within the dioceses of Glasgow, Galloway, Argile, or the Iles, to studie their Art, Theologie, Lawes, or Medicine, within the pedagogie of Glasgow.

"Nane sall be admitted to pluralitie of provestreis, prebendreis, and chaplanreis; and where anie provestrie or prebendrie exceedeth the summe of threttie punds of yeerelie rent, it sall be divided, and so muche therof appointed to the bursars of Theologie, the Lawes, or Medicine; and the remanent, according to the rait and value, to another bursar. And if anie, past his course in Grammar, be desirous to passe to the universitie, and studie in Art, Theologie, the Lawes, or Medicine, the chaplanrie or prebendrie he had of before may be of new confered to him, during his studie in anie one of the saids sciences, he having alwise new presentatioun in ordinar forme.

"The bursars nominated sall first be found by the maister or principall of the colledge of suche age as is before writtin, and apt for the studie in suche facultie as he is ordeaned to, before he gett the king's or other patron's gift; and that, upon report and testimoniall from the maister and principall in the colledge, according to the forme and order prescrived. And if he continue not at the studie during the time and in place appointed, or otherwise giveth occasioun of deprivation, he sall be deprived, and another nominated and provided of new, wherin the king's Majestie, and others patrons, sall alwise have their place and patronage. And the master sall certifie the causes of deprivatioun to the patron within a moneth after the same, that the patrons may present within six moneths of new."

GENERALL ARTICLES FOR REFORMATION OF CERTAN ABUSES.

"Whatever actioun and pley is, or sall be, tuiching the payment of the thrids, before he that is in possessioun of the thrids be heard, or admitted in process, he sall be holdin to find cautioun to pay the ministers serving the kirk or kirks of the benefice, out of

the which the same thrids sould be payed, of their appointed stipends, so farre as the thrids extend to, during the dependence of the pley.

"*Item*, In further punishment of the persons now at the horne, or sall happin to be denounced rebells for none payment of thrids, and to further the recoverie of payment of the same, that the persons givin in, duelie executed, and indorsed at the horne, be charged to compeere before the regent and Lords of Secreit Counsell at a certane day, to answere to suche things as sall be inquired of them; and sall be committed to waird whill they have payed the duetie, and obteaned themselves relaxed from the horne: And that the solister of the kirk's effaires await diligentlie heerupon, according as he sall receave advertisement of the disobedients from the collectors or otherwise.

"*Item*, That all fewes, rentalls, or tacks of anie spirituall livings or promotiouns to be made after the date of this present act, in diminutioun, hurt, or prejudice of the present rentall, sall be in law null and of none availl. And that the certantie of the present rentall may be knowne, the commissioners of the kirk have takin in hand to caus the same be drawin in an authentick forme, betuixt and the last day of Marche nixt to come; and a booke of the same to be delivered, to remaine with my lord regent, to the king's use, to the effect, that more formall resolutioun may be takin in the nomination and dispositioun of all benefices.

"*Item*, The Lords of the Sessioun of the spirituall estat, under prelaceis that clame immunitie of payment of their thrids, sall, at the least, pay the stipend of the ministers serving at their owne kirks, as the same sall be modifeid and appointed by the commissioners from the king's counsell and kirk.

"*Item*, It is thought meete, that by an act and warrant of the Secreit Counsell, the proveist and bailiffes of all burrows that have givin the gift of their annuells, be charged to send with their commissioners to parliament, their gifts, to be seene and considered the rentalls of suche things as they have in possessioun, or can clame

by these gifts; to the end that it may be seene that the thing dispouned be imployed to godlie uses, according to the intentioun of the givers, and forme of the gifts.

"For support of the poore in a part, that all to be admitted to spirituall promotioun heerafter, to be holdin to pay the tenth part of all suche portioun of their spirituall promotiouns and livings as consist, in tithes to the poore."

THE MANER OF CREATING OF A BISHOP.

"Trustie and weillbeloved, we greete you weill. Forsameekle as the bishoprick of S. presentlie vaiketh, by deceasse of the late incumbent of the same; and calling to our remembrance the vertue, learning, good conversatioun, and other godlie qualiteis of our trusty and weilbeloved A. B., preacher of the Word of God, we have thought, by thir our letters, to name him, and commend him to you, to be chosin to the said bishoprick of S. Wherefore we require you indilatlie, upon the recept heerof, to proceed to your election, according to the lawes of our realme, and our licence to choose, sent to you heerwith. And the same election so made, to certifie to us under your commoun seale.

"Givin under our signet, and subscrived by our right trust cousin, Johne Erle of Marr, Lord Areskine, regent to us, our realme and leiges. At the day of the yeer of God

LICENCE TO CHOOSE.

"Our Soveran Lord, with advice and consent of his right trust cousin, Johne Erle of Marr, etc., ordeaneth a letter to be made under the great seale in due forme, directed to the deane and chapter of the cathedral kirk of N., making mentioun, that it is humblie meaned to his Highnesse and his said regent, on the part of the saids deane and chapter, how the kirk forsaid presentlie vaiketh, and is destituted of a pastor, by the naturall death of the last bishop therof; and that his Highnesse will grant them licence to

choose another bishop and pastor. His Majestie favourablie inclynning to their desire, hath thought good to grant the same: Requiring the said deane and chapter to choose suche a bishop and pastor of the said bishoprick, that sall be devote to God, and to his Highnesse and his realme profitable and faithfull: And that precepts be directed heerupon, in due forme, as effeires. Subscrived by the said regent. At," etc.

THE FORME OF THE EDICT TO CONVEENE THE CHAPTER FOR ELECTIOUN.

"Forsameekle as our soveran lord's letters, under his Highness' great seale, are directed to the deane and chapter of the metropolitan kirk of G., granting them licence to choose another archbisl and pastour, the seate now vacant by the naturall death of the last archbishop therof; requiring them to choose suche an archbishop and pastour as the same sall be devote to God, and to his Highnesse and realme profitable and faithfull: And to the effect that the said electioun may proceed to the pleasure of God, and to the weale of the king, the kirk, and the realme, the day of etc. is appointed: Requiring and charging heerefore, all the godlie ministers within the said diocese, nominated and appointed to represent the chaptour in the reformed kirk, that they be present at B. the said day, to doe and performe that which to them in the said electioun apperteaneth. Subscribed by at the day of ," etc.

THE TESTIMONIALL OF THE DEANE AND CHAPTER RETURNED TO THE KING AND TO HIS REGENT.

"The right excellent, right high, and mightie Prince James, by the grace of God King of Scots, our Soveran Lord; your Majestie's daylie oratours and humble subjects, the deane and chapter of the cathedrall kirk of N., humble reverence and submissioun. Forsameekle as we, having your Highnesse' licence to choose a bishop and pastour to the said kirk, now vacant by deceasse of the last in-

cumbent, have tried and examined the qualificatioun of our weilbeloved brother N., nominated and recommended by your Majestie; whom we have found a personage endued with vertue, learning, and good conversatioun, and other good qualiteis, and able to discharge the office of a bishop in the kirk of God; and therefore have elected him therunto: humblie craving and requiring your Highnesse to grant your royall assent and approbatioun to our said electioun, by your Majestie's letters under your great seale, in due and competent forme, as effeires. Givin under our commoun seale, and subscrived with our hands."

Incace the person nominated be not found qualified.

"Have tried and examined the qualificatioun of N., nominated by your Majestie, and find him not qualifeid in the whole or part of the qualities required in a bishop: most humblie therefore craving and requiring your Highnesse, that, with all convenient expedition, some other, sufficientlie qualifeid, may be of new nominated and recommended to the said bishoprick, that the kirk of God be not destituted of a pastour."

THE CONFIRMATION, PROVISION, AND ROYALL ASSENT, UPON THE CHAPTER'S CERTIFICAT MADE OF THEIR ELECTIOUN.

"Our soverane lord, with advice and consent of his right traist cousin, etc., ordeaneth a letter to be made under the great seale, in due forme, directed to the Most Reverend Father in God, and his Highness' weilbeloved A., by the provision of God Archbishop of S., or to whatsomever other bishops to whom in this part it apperteaneth, making mentioun that the seate of N., latelie vacant by the naturall death of the last bishop therof, or by forfalture, translatioun, dimissioun, or deprivatioun; his Highnesse, at the humble petitioun of the deane and chapter of the cathedrall kirk of N., by his Majestie's letters under the great seale, hath granted licence to them to choose another, in bishop and pastor of the seate foresaid. The same deane and chapter, by vertue of the said licence, have

chosin his weilbeloved A. B., preacher of the Word of God, in bishop and pastor to them of the said kirk, as by their letters, under their commoun seale, directed to his Highnesse, may plainlie appeare. Therefore, our said soveran lord accepting the said electioun, hath givin his assent therunto, as also his favour, and signifieth the same to the said archbishop or bishop, by the said letter: Requiring, and in faith and oath (whereby they are holdin to his Majestie) commanding them to consecrat a bishop elected, as said is, in bishop and pastor of the kirk forsaid; and to confirme the said electioun; and all and sindrie other things to doe, belonging to their pastorall office in that part, after the forme of the lawes of this realme, with all diligence, favour, and effect. Subscrived by the said lord regent," &c.

If he be a bishop alreadie, and is to be translated, then to use thir words:—

"And the same A.B., bishop and pastor of the cathedrall kirk forsaid, by translatioun to confirme," &c.

After, the new-made bishop sall compeere before the king's Majestie and his regent, and make his oath, as followeth:—

"I, A. B., now elected Bishop of S., utterlie testifie and declare in my conscience, that your Majestie is the onlie lawfull and supreme governour of this realme, als weill in things temporall as in the conservatioun and purgatioun of religioun; and that no forraine prince, prelat, state, or potentate, hath or ought to have anie jurisdictioun, power, superioritie, pre-eminencie, or authoritie ecclesiasticall or spirituall, within this realme. And therefore I utterlie renounce and forsake all forraine jurisdictiouns, powers, superioriteis, and authoriteis, and promise, that from this furth I sall and will beare faith and true allegiance to your Majestie, your heyres and lawfull successours; and to my power sall assist and defend all jurisdictiouns, priviledges, pre-eminencie, and authoriteis granted and belonging to your Highness, your heyres and lawfull successours, or united and annexed to your royall crowne. And further,

I acknowledge and confesse, to have and hold the said bishoprick and possessiouns of the same, under God, onlie of your Majestie, and crowne royall of this your realme; and for the saids possessiouns I doe my homage presentlie unto your Majestie, and unto the same your heyres and lawfull successours sall be faithfull and true. So helpe me God."

RESTITUTION OF THE BISHOP'S TEMPORALITIE.

"Our soveran lord, with advice of his right trustie cousins, ordeaneth a letter to be made under the privie seale, in due forme, making mentioun that the bishoprick of N., vacant by deceasse of the last bishop therof, the deane and chapter of the cathedrall kirk forsaid, by his Highnesse' licence sought and obteaned, have elected his Highnesse' weilbeloved A.B., preacher of the Word of God, in their bishop and pastor. To which electioun and person elected, his Majestie hath givin his royall assent and favour, and receaved his fidelitie due to his Highnesse for the said bishoprick: Restoring to him the temporaliteis therof by thir presents, and that the saids letters be extended in the best forme, with all clauses needfull; with command in the samine to the Lords of Counsell and Sessioun, to grant and give letters in the foure formes, at the instance of the said A.B., now elected and admitted, and confirmed bishop of C$_{\text{t}}$ to caus him be answered and obeyed of the said temporalitie therof, and other fruicts and rents of the same, from the Feast of D. last bypast, in due and competent forme, as effeirs. Subscrived by the said lord regent."

TOWARD THE CHAPTERS OF METROPOLITAN AND CATHEDRALL KIRKS.

"Becaus divers of the deanreis, and other digniteis and benefices called channonreis and prebendreis, in metropolitan and cathedrall kirks, are possessed by persouns that have not made professioun of the true religioun, nor yitt have entered by lawfull order of the

true reformed kirk in the functioun of the ministrie; and so, nather the one nor the other sort is thought meete to have vote in the electioun of the true bishop: Therefore, in time comming, this order sall be observed as *interim*, als weill for bishopricks now vacant, or that heerafter sall happin to vaike, so long as the benefices of the old chapters are not in the possessioun of the ministers of the kirk, professors of the true religioun: That is to say, so manie of the old ordinar chapter as are presentlie lawfull ministers and professours of the said true religioun, sall have their owne vote, place, and priviledge. And in place of so manie of the others present possessors of the benefices of the chapter now possessed by persons not professing the true religioun, or that have not entered, nor sall not enter by lawfull order of the true reformed kirk in the functioun of the ministrie, sall be nominated als manie of the learned and most godlie ministers serving the kirks within that province.

"It is considered, that of the archbishopricks and bishopricks within this realme, two, viz., Sanct Andrewes and Glasgow, had chapters in cloisters, and the chapters of the remanent kirks were persons in parish kirks. And, therefore, so long as the benefices of the chapter are not in possession of the ministers of the reformed kirk, professours of the true religioun, which, God willing, with time sall come to passe, (the present possessors departing this mortall life,) during their naturall lives this order is thought meete for electioun:—

"First, for the seate of Sanct Andrewes; that so manie of the old chapter as live, and are ministers, professours of the true religioun, sall still be in the chapter during their natural lives, viz.:—

"The Bishop of Cathnesse, Commendatare of the Pryorie of Sanct Andrewes, Deane.

"The Pryour of Portmorke.
Johne Guidfallow, Minister at Longforgunde.
David Robertsone, at Rossy.
"Johne Ure, Minister at Leuchars.
Peter Ramsay, Minister at Dairsie.

"Peter Ramsay, Minister at Markinche.
Alexander Mure, Minister at Kilgoure.
Patrik Kinloche, Minister at Linlithquo.
"Johne Duncansone, Minister at Stirline.
Mr William Bradfoote, Minister at Lathrisk.
Mr Thomas Bigger, Minister at Kinghorne.

"The chapter or assemblie of the Archbishop of Sanct Andrewes' assessers sall consist, in time to come, after the death of the present convent of the abbey, in twentie-one persons, heerafter nominated, which persons sall represent the chapter in electioun of the archbishop. And siclyke, in time comming, for electioun and spirituall effaires, als weill before as after the death of the convent, without prejudging the old convent during their lyftymes, in things temporall.

"The Pryour of Sanct Andrewes, Deane.
"The Pryour of Portmorke.
The Minister of Edinburgh.
The Minister of Leith.
The Minister of Linlithquo.
The Minister of Stirline.
The Minister of Dumbar.
The Minister of Hadinton.
The Minister of Carraill.
The Minister of Cowper.
The Minister of Anstruther.
The Minister of Dysart.
"The Minister of Kirkaldie.
The Minister of Kinghorne.
The Minister of Dumfermline.
The Minister of Aberbrothoke.
The Minister of Perth.
The Minister of Calder in Lothiane.
The Minister of Fethercarne.
The Minister of Dunce.
The Minister of Methven.

"That in the seate of the Archbishoprick of Sanct Andrewes, under the archbishop, thir digniteis or superiour offices in the kirk be reteaned, which successivelie, having the king's licence to choose, sall convocat the chapter to that effect.

"The Deane who is living is, and sall be the Pryour.

"The Archdeane of Sanct Andrewes.

"The Archdeane of Lothiane.

"The Chanceller, who sall be the Proveist of the Queen's Colledge, beside Edinburgh.

"And in the meane time, whill the livings of the said archdeaconrie and chancellerie vaike by the death of the present possessours, which are not of the function of the ministrie, the offices sall be served by

"Mr Johne Wynrame, as Archdeane of Sanct Andrewes.

"Mr Johne Spotswod, Archdeane of Lothiane.

"Mr David Lindsey, as Chanceller.

"*Noth,* The like order for the bishoprick of Galloway, for the seate of Glasgow. The chapter consisteth in threttie-two channonreis or prebendreis, founded on distinct and severall benefices: That is to say,

"The personage of Hammiltoun.
The personage of Kilbryde.
Chanceller personage of Campsie.
Treasurer personage of Carnwath.
Subdeanrie personage of Calder and Monkland.
Archdeanrie personage of Pebles and Maner.
Archdeanrie of Tiviotdaill personage of Morbottle.
Personage of Glasgow.
Personage of Stobo.
Personage of Guvvane.
Personage of Renfrew.
Personage of Areskine.
Subchantrie personage of Disdeir.
Personage of Carstairs.

"Personage of Sanquhare.
Personage of Eglishame.
Personage of Ardrois.
Personage of Kirkmacho.
Lord Provand.
Personage of Dowglas.
Personage of Ankrome.
Personage of Cumbuslayng.
Personage of Carnock.
Personage of Old Roxburgh.
Personage of Arskirk.
Personage of Moffet.
Personage of Killarne.
Personage of Eddistoun.
Personage of Bothernock.
Personage of Torbowton.
Personage of Lusse.

"Of the present possessours of the benefices, onlie six are entered

in the functioun of the ministrie, which sall be of the chapter for electioun of the archbishop. And so, how soone the remanent present possessors depart this life, the benefices sall alwise be dispouned to qualified persons that sall enter in the functioun of the ministrie, and they be of the chapter, and whill the persons present possessors not enter.

" The names of the six of the chapter that are alreadie ministers :

" Mr John Comlie, Minister of Kilbryde.
Mr Andrew Hay, Minister of Renfrew.
" Mr Peter Young.
Mr James Stirline.
Mr George Hay.
Mr Johne Hamilton.

" The persons adjoyned :—

" The Minister of Glasgow.
The Minister of Dumbartan.
The Minister of Irwing.
The Minister of Air.
The Minister of Lanerk.
The Minister of Hamiltoun.
The Minister of Campsie.
The Minister of Cammonell.
" The Minister of Mauchline.
The Minister of Uchiltrie.
The Minister of Stevensone.
The Minister of Kirkpatrick.
The Minister of Peebles.
The Minister of Rutherglen.
The Minister of Stratoun.

" That in the seate of the Archbishoprick of Glasgow, under the archbishop, thir digniteis, as superiour offices in the kirk, be reteaned, which successivelie having the licence to choose, sall convocat the chapter to that effect :—

" The Deane. The Archdeane of Teviotdaill. The Chancellor.

" The livings of the digniteis and offices are knowne ; and after death of the present possessors, persons, qualified Ministers, being placed in the livings, sall also discharge the offices ; and in the meane time, in the electioun of the archbishop, thir persons sall represent and supplee the same offices :—

" Mr Andrew Hay.
Mr James Greg, Archdeane of Glasgow.
" Mr Johne Colmlie, Archdeane of Teviotdaill.
Mr David Wemes, Chanceller.

" Without prejudice of the present chapter during their lyftymes, in things temporall."

The like order toward the remanent bishopricks, having benefices, appointed to suche as sould be of the chapter.

THE FORME OF A LETTER DIRECTED TO THE ORDINAR, OR THE SEATE VACANT, TO THE DEANE, OR OTHER NOT CONSTITUTED IN DIGNITIE OF THE CHAPTER, IN FAVOURS OF A PERSON TO BE PROMOVED TO AN ABBACIE OR PRYORIE.

" Reverend Father in God, we greete you weill. Forsameekle as the abbacie or pryorie of A. presentlie vaiketh by deceasse of the incumbent of the same, and having alreadie made provisioun how the ministers of the kirks of the same sould be susteaned, we have thought convenient to name and commend our weilbeloved clerk, B. C., to the commendatarie of the said abbacie or pryorie of A. And seing the possessour of the same is to represent the persoun of one of the ecclesiasticall estate in our parliament, needfull it is that he be sufficientlie qualified. Wherefore, we require and pray you, indilaitlie, upon the recept heerof, to trie and examine his learning and habilitie; certifeing us of the same, by your testimoniall, that therupon we may provide him of the said abbey or pryorie, as effeirs. Givin under our signet, and subscrived," &c.

THE TESTIMONIALL OF THE ORDINAR RETURNED TO THE KING'S MAJESTIE OR HIS REGENT.

" To the Right Excellent, &c. your Majestie's humble oratours' reverence and submissioun. Forsameekle as having tryed and examined the qualificatioun of our weilbeloved A. B., nominated and

commended by your Majestie to the commendatarie of the abbey or pryorie of A., we have found him of sufficient learning and habilitie, which we declare and signifie to your honours, by thir presents, subscrived with our hands, and under our seale. At the day of the yeere

Incace the persoun nominated be not qualified.

"Have tryed and examined, and have not found him qualified, in whole or in part, in the qualiteis required: most humblie, therefore, craving and requiring your Highnesse, that with all convenient expedition some other, sufficientlie qualified, may be of new nominated and recommended to the said abbey or pryorie."

THE GIFT AND PROVISIOUN UPON THE ORDINAR'S CERTIFICAT.

"Our soveran lord, with advice and consent, &c. ordeanes a letter to be made under the great seale, in due forme, to the Reverend Father in God, A., Archbishop or Bishop of B., making mentioun, that the abbacie or pryorie of C. presentlie vaiketh, by the naturall death of the last abbot, pryour, or commendatare therof, or by forfalture, translatioun, dimissioun, or deprivatioun: his Highnesse hath nominated and recommended his weilbeloved D. E. to the commendatarie of the said abbey or pryorie of C., who by his ordinar is found of sufficient learning and abilitie therefor; and also hath givin the confessioun of his faith, his oath for acknowledging and recognoscing his Highnesse' authoritie, and due obedience of his ordinar in accustomed forme: Therefore, giving, granting, and dispouning, by the said letter, to the said D. E., the said abbacie or pryorie of, &c., with all digniteis, rights, rents, patrimonie, priviledges, and possessiouns whatsomever, belonging thereto, and making and constituting him commendatare therof during his lyfetyme, to be bruiked and joysed by him als freelie as anie other bruiked and possessed the same in time bygane, but anie revocatioun: Requiring the said reverend father to make the said D. E., now nominated and admitted commendatare of the said abbacie or pryorie, sure of having institu-

tioun and possessioun of the same; and all and sindrie other things to doe, concerning his pastorall office in this part, in all diligence, favour, and effect: And that the saids letters be extended in the best forme, with all clauses needfull, with commaṅd in the samine, to the Lords of Counsell and Sessioun, to grant and give letters for answering and obeying of the said D. E., now commendatare of the said abbey or pryorie, of the rents, fruicts, profites, emoluments, and dueties therof, during his lyfetime, and to none others. Subscrived."

THE FORME OF A LETTER DIRECTED TO THE MAISTER OF THE GRAMMAR SCHOOLE IN FAVOUR OF A BURSAR STUDENT IN GRAMMAR.

"Trustie and weilbeloved, we greete you weill. Forsameeckle as the prebendrie or chaplanrie of A., lying in the diocese of B., now vaiketh by deceasse of umquhile C. D., last possessor of the same, the yeerely rent wherof is thought not to exceed the summe of twentie merks; and we, willing to confer the same to a burser, in support of his sustentatioun at the schoole, for the increasse and furtherance of godlie letters, by thir our letters nominat and present our lovits, &c.: Requiring you to trie and examine, if he be past the age of sevin, and within the age of fourteene yeeres; if he be apt to studie in grammar, and will promise to continue his studie under you, and be subject to your discipline; as also enquire where the chaplanrie or prebendrie lyeth, what is the certan rent therof; that upon your report, to be returned to us within the space of a moneth after the date heerof, we may resolve in the disposition of the same prebendrie or chaplanrie, as effeirs."

THE ANSWERE OF THE MASTER OF THE GRAMMAR SCHOOLE.

"To the Right Excellent; your Highnesse' humble subject, A. B., Maister of the Grammar Schoole of C., humble reverence and submission. According to the command of your Majestie's

letters, having takin triell, I found D. E., nominated and commended by your Highnesse to the prebendrie or chaplanrie of A., past the age of seven, and within the age of fourteene yeeres; apt and disposed to studie in Grammar, wherin he hath promised to continue, and be subject to my discipline. Having also enquired, I find that the said prebendrie or chaplanrie lyeth within the diocese of , and extendeth to of yeerelie rent. Subscrived with my hand, and under my at the day of

THE GIFT AND PROVISION UPON THE CERTIFICAT OF THE MAISTER OF THE GRAMMAR SCHOOLE.

"Our soverane lord, with advice, &c., ordeaneth a letter to be made under the privie seale, in due forme, making mentioun that the prebendrie or chaplanrie of A., lying within the diocese of S., vacant by deceasse of umquhilè B. C., last possessour therof, his Majestie hath understand the yeerelie rent therof not to exceed the summe of twentie merks money of this realme. And being certified that his lovit, N. A., is of convenient age to enter in the studie of Grammar, and is apt and disposite therefor, and promiseth to be subject to discipline, and continue therin; Therefore, giving, granting, and dispouning, by the said letter, to the said N. A., all and whole the said prebendrie and chaplanrie of A., with all fruicts, rents, profites, emoluments, and dueteis, belonging thereto, in support of his sustentation at the schoole during the space of yeeres after the date heerof: with power to him, by himself, his parents and factours in his name, to intromett, tak up the said rents and emoluments, profites and dueteis of the said prebendrie or chaplanrie, during the said space, to the effect above writtin, with all and sindrie commoditeis, als freelie, &c., as anie others had and bruiked the same of before, but anie revocatioun, &c., and that the saids letters be extended in the best forme, with all clauses needfull; with command in the same, to the Lords of Counsell and Sessioun, to grant and give letters in the foure formes, for answering and obeying of the said N. A. of the fruicts, rents, profites, emoluments, dueteis, of the said prebendrie or chaplanrie, during

the space above specified. Commanding also the maister of the grammar schoole of M. to receave the said N. A. under his cure and discipline by the space above specified; and at the end of the same, or incace of his deprivatioun, or not continuance in studie, to certifie the same, that another may be provided to the said prebendrie or chaplanrie of new. Subscrived."

For a Bursar in Art the like formes, changing the termes of quantitie of the presentation of the rent.

"Trustie and weilbeloved, &c., to the Principall and Maisters of the Colledge of B."

For a Bursar Student in Theologie the like formes, changing termes in tyme, quantitie of rent, and other words needfull.

Nota.—The Bursars in Art, Theologie, the Lawes, or Medicine, must give the confessioun of their faith, and an oath for acknowledging the king's authoritie.

THE FORME OF THE OATH TO BE GIVEN BY THE PERSON PROVIDED TO ANIE BENEFICE WITH CURE, THE TIME OF HIS ADMISSION BY THE ORDINAR; AS ALSO, BY BURSARS OF ART, THEOLOGIE, THE LAWES, OR MEDICINE, THE TYME OF THEIR RECEIPT IN THE UNIVERSITEIS.

"I, A. B., now nominated and admitted to the C. of D., utterlie testifie and declare in my conscience, that the right excellent, right high and mightie prince, James the Sixt, by the grace of God, King of Scots, is the onlie lawfull supreme governour in this realme, als weill in things temporall as in conservatioun and purgatioun of religioun; and that no forrane prince, prelat, state, or potentat, hath or ought to have anie jurisdictioun, power, superioritie, pre-eminencie, or authoritie, ecclesiasticall or spirituall, within this realme. And, therefore, I utterlie renounce and forsake all forrane jurisdictioun, powers, superioriteis, and authoriteis; and promise, that from this furth, I sall and will beare faith and true

allegiance to his Highnesse, his heyres, and lawfull successours; and to my power sall assist and defend all jurisdictiouns, priviledges, pre-eminencie, and authoriteis granted and belonging to his Highnesse, his heyres, and lawfull successors, or united and annexed to his royall crowne. And further, I acknowledge and confesse to have and hold the said C., and possessiouns of the same, under God, onlie of his Majestie and crowne royall of this realme. And for the saids possessiouns I doe homage presentlie unto his Highnesse in your presence; and to his Majestie, his heyres, and lawfull successours, sall be faithfull and true. So God helpe me."

If, at the presentatioun, the benefice be of a laick patron, at the giving of the oath the persoun presented sall say, "I acknowledge and confesse to have and hold the said C., and possessiouns of the same, under God, by his Majestie, of G. F., lawfull patron of the same."

For benefices of eure, the persons admitted sall promise obedience to the ordinar; and in schooles or universiteis, to the maister or principall therof.

"Forsameekle as the heeds and articles now talked of, and putt in suche forme as is conteaned in this booke, cannot have full effect and executioun as lawes, nor no laick patron unwilling can be compelled thereby, whill the same be allowed and inacted in parliament; neverthelesse, it is thought and meant by my lord regent's Grace, that in suche things as he sall happin to passe in the king's Majestie's name, and the bishops, superintendents, and maisters of colledges and schooles in their admissioun, and the Lords of Sessioun, in granting of letters, sall have respect to the keeping and observatioun of the order now condescended upon, as if it were established by law, and that laick patrons be perswaded to the observatioun of the same order, which is ordeanned to have the strenth of an act of the Secreit Counsell; and that exact labour sall be takin to get this order allowed, confirmed, and established as law by parliament: and for that effect, that the formes of signatures and letters be keeped unaltered. And a register to be keeped by the Clerk of Secreit Counsell of all signatures and other grants of anie spirituall

promotion, or maters concerning the same; and the seales to answere no signature or letter unregistred, and subscrived by the hands of the regent, different from their formes: That the clerk stay the same unregistred, whill the mater be opened to the regent, and his minde certanlie understood: And no letters to passe with blankes; and no double gifts to be registred, without the regent's minde first knowne.

"Which articles and formes within writtin, being seene and considered by my lord regent's Grace, he, in our soveran lord's name, alloweth and approveth the same. At Leith, the first day of Februar, the yeere of God 1571 yeeres."

THE EXECUTION OF THE DUKE OF NORFOLK.

About the same time, to witt, the 16th of Januar, the Duke of Norfolk was arraigned at Westminster Hall.[1] The effect of the indytement was this:—That, *anno Domini regni reginæ* 11, and of before and after, he did traterouslie compasse and imagine to deprive, destroy, and putt to death the queen's Majestie of England: to raise rebellioun, to subvert the commoun wealth; and to stirre up forrainers to invade the realme; and to warre against the queene: for that he, knowing Marie, late Queen of Scots, to have clamed the crowne of England, and to have named her self queen, and to have borne the armes of the queene without difference, did, the 23d of September, in the said elleventh yeere, without counsell or con-

[1] Norfolk, in the whole of this business, was merely the tool of others, and the victim of his own weak ambition. At first he had boggled at the idea of a marriage with the Queen of Scots, declaring that he never meant to marry with such a person, where he could not be sure of his pillow—alluding to the fate of Darnley: but this scruple was soon overruled. He then took fright at the consequences of high treason, which were involved in such a step; and, endeavouring to shift the responsibility from his own shoulders, he first tried to prevail with the Earl of Leicester to become the proposed bridegroom; but that selfish minion of Elizabeth was too cautious to be persuaded. Norfolk then endeavoured to induce his own brother, Lord Henry Howard, to offer himself as Mary's husband; but he also declined the perilous honour. The Duke, therefore, seeing no resource, threw the desperate cast for a throne or a scaffold, and paid the penalty.

sent of the queen, send letters and tokins to the said late Scottish queene; and did lend her, diverse times, great summes of money, and receaved tokins from her, contrarie the commandement of the queen, and contrarie his owne submissioun and promise, under his hand and seale; and that he, knowing that the late Erles of Northumberland and Westmoreland, Nortoun, and others that had levied warre against the queene, the 16th of November, *anno regni reginæ undecimo*, and had assembled to them the number of 4000 persons; and that they fled the 12th of December, the twelfth yeere of the queene, into Scotland, and there were receaved by the Duke of Chattelerault, the Lord Hume, and others, and als persued by the Erle of Sussex, the sixt of August, in the said twelfth yeere, and before and after, did send unto them; and that he, being adherent by promise to the Pope, enemie to the queene, 10 *Martij*, 13 *reginæ*, did consent and counsell with Robert Ridolph,[1] merchant, a stranger, and the Pop's factour, to have money from the Pope, King Philip, and Duke D'Alva; and that they sould send an armie to invade the realme, and deliver the said Scotish queene, to deprive the queen's Majestie, and to marie the said Scotish queene. And, farther, wheras the said Robert Ridolph had writtin, in name of the said duke, three letters, one to the Pope, another to King Philip, and another to Duke D'Alva, the said duke sent his servant to the ambassader. Two letters were to him allowed, and that they sould be takin as sent from him; to the which mater the said Ridolph agreed, who delivered to the Duke of Norfolke cyphers, wherof he carried a copie to Rome, whereby eache might certifie other; and likewise required of the said duke what time the aide sould arrive, that he sall be provided. And that, farther, the said duke

[1] This Ridolph or Ridolphi, whose name so frequently occurs in the conspiracy of the Duke of Norfolk, appears to have been one of the most restless and intriguing of the Papal emissaries of this period. At the detection of the duke's first plot, this busy Florentine suffered a long imprisonment; but no sooner was he set at liberty than he resumed his plans with double ardour. It was he also who accomplished the hazardous undertaking of bringing that bull to England for which Felton suffered, and of which he distributed six copies. One of these, given to the Spanish ambassador, was publicly placarded, as has been noticed in a former note.

did receave letters from the Pope, with promise of the said aide to Lord Hereis, and other Scots of the queen's enemeis.

In the examinatioun, it was layed to his charge, that he attempted the deprivation of the queen's Majestie's releefe of the rebells, the releefe of the Scots, the queen's enemeis. To prove the first, two things were alledged: First, That knowing the Scotish queene to have clamed the crowne, he had attempted mariage with her. Secundlie, The conspirement of a forrane power to invade the realme. "He that would marie one that clameth the crowne, meaneth to aspire to the same," said Serjant Barhame.[1] "This mater beganne at suche time as the duke was one of the commissioners for hearing of the caus betweene the Scotish queen and the lords of Scotland, at which time the duke being bound by an oath to deale therin directlie, to weygh indifferentlie the occasiouns and answeres, notwithstanding, he dealt indirectlie and partiallie, therby committing perjurie, and disclosing the queen's secreets." Barhame proved her clame by the armes and title which she used, and by her refusall to acknowledge the queen's Majestie lawfull queene. The duke answered, he must not defend her doings. She, having a husband, did it, which at the requeist of Throgmorton was left off; that the queene hath since entered in league with her, and that she hath christened her childe since. Then, said Serjant Barhame, "She hath not renounced her clame. And yitt you have so farre dealt with her, as being the queen's Majestie's commissioner there, to heare the mater, you have opened to her the occasiouns; you have her instructions how she sould deale, that the mater

[1] "Wherefore pray you," said Barhame, in his speech, "sought he that mariage, yea, and sought it, as he meant to achieve it with force? It was not in respect of her person, for he knew her not; it could not be for any good report of her virtuous conditions; for he had an evil opinion of her: he did, by his writing, certify against her; he declared to Bannister that he thought very ill of her. It was not for her title to the kingdom of Scotland; for neither was she possessed of it, neither did he esteem it though she had it. Wherefore sought he her then? Surely, in respect of that unjust claim and title that she pretended to the present possession of the crown of England; which title cannot be maintained without evident purpose to depose the queen's Majesty, and to bring her to death and destruction."

State Trials, Vol. i. p. 1001.

might not come to light, and conferred with the Bishop of Rosse about the same:—for prooffe wherof was shewed the examinatioun of Rosse, takin the 6th of November 1571, declaring that the duke uttered to him all that he knew in the mater, and promised what helpe he could.[1] But he spake nothing of the mariage, but refered all to Lethington, who had caused the duke to stay the conference; and shew to him her good will, and how that he was sett to accompanie the Erle of Murrey, to convoy the Scotish queen's letters away, and to counterfoote other. And this was proved by a letter from Yorke writtin by the Erle of Murrey, and by a letter of the Bishop of Rosse to the Scotish queen, wherin he shewed that the duke did advertise him, that they went about to discredite the Scotish queene with the people of England, that she might be the lesse able to attempt anie thing against the Queen of England; and that he went about to procure the Scotish queene to be stollin away: and this, after his submissioun, wherin he promised, under his hand and seale, never to deale in this mater againe. There was further shewed a prophecie, which he shewed to Robert Higford, which was, *In exaltatione lunæ succumbet leo: leo cum leone conjungetur, et catuli eorum regnabunt;*[2] proved by the examinatioun of Hickford, to whom he shewed it.

Then was brought furth one Candish. The effect of his evidence was, that being at Southampton with the duke, and walking with him in his chamber, he gave advice to the duke, to travell for the queen's good will in this mariage. He answered, he sould have

[1] Norfolk's hereditary hatred of the Scots broke forth on various occasions during the trial, as in the following instance:—

Duke.—"As for Lethington and the Bishop of Ross, what their speeches were to me, I care not; I am to answer but for mine own speeches."

Serjeant.—"The Bishop of Ross accuseth you of your own speeches; and this he doth, being examined freely, and without any compulsion."

Duke.—"He is a Scot!"

Serj.—"A Scot is a Christian man."

[2] Which was thus interpreted:—At the rising of the moon, (viz. the rising of the Earl of Northumberland, whose heraldric badge was the moon,) the lion (Queen Elizabeth) shall be overthrown: then shall the lion be joined with a lion, (the Duke of Norfolk and the Queen of Scots, who both had the lion in their coats of arms,) and their whelps (children) shall reign.

her, and[1] it sould cost him his life. That the duke at Conhinghame did say to the said Candish, that there was nothing to undoe us but the rysing of the northerne lords, if they sould then rise; and did further aske, If the queen's Majestie were dead, that by his meanes he might procure his uncle Candish to be on his side? It was further shewed, that the duke sent one Habour[2] to the erles, willing them not to rise; for if they did, they were undone. There was also shewed a letter of the Scotish queen to the duke, in cyphers, which was decyphered, declaring her sorrow upon a rumour that the Erle of Northumberland was takin, a long time before the rising of the duke.[3] He denied that he had any suche conference with Candish.

It was layed to his charge by Mr Gerard, that he had conference himself with Ridolph the Florentine, for bringing in of 4000 men out of Flanders, to be landed at Harwiche, wherof 3000 sould have beene horsemen: that the Bishop of Rosse and he conferred about three severall letters tuiching the same maters, to be sent from the duke; the one to Duke D'Alva, another to the Pope, another to King Philip; but the duke would not subscrive them. Then was devised by Rosse, that he sould send Barker, his man, to the Spanish ambassader, to shew him how the duke was content with these letters, and that they sould passe as his, and that he did allow them as his owne; that the Spanish ambassader sould certifie them therof. He answered, if he had gone about anie suche things, he would have made provisioun for armour; but he had not bestowed five pund upon armour these five yeeres, except it were croslets. Then was read a letter of the Bishop of Rosse to the Scotish queene, which he wrote since his imprisonment, opening up the whole mater: and a letter of the duke's, writtin with reid oaker since the duke came to the Towre, willing him to burne that bag

[1] And, or an'—*quasi*, if.

[2] Havers.

[3] "The Earl of Shrewsbury (she wrote) came one night so merry to me, shewing that the Earl of Northumberland had been in rebellion, and was rendered to the Earl of Sussex, Lord Lieutenant of the North; which, since, I have found false; but at the sudden, such fear for friends cumbering me, I wept so till I was all swollen three days after."—*Earl of Hardwiche's State Papers*, Vol. i. p. 192.

of letters which Barker had layed in a place, to lay all on Rosse, whom law could not tuiche, becaus he was an ambassader. Then were shewed letters of Ridolph, sent by Rosse his servant, Charles Bayle, by which it appeared how Duke D'Alva lyked the mater, and how he enquired how farre Harwiche was from Londoun; and the Pop's letter, dated the fourth of May, conteaning an answere of these letters which were sent by the duke. Then they proved the aide of the rebels that fled, by order givin from the duke for distributioun of money to the Erle of Westmerland, the Countesse of Northumberland, &c. Then the aiding of the Scotish rebels was proved by letters from the duke to Bannester, and the deliverie of the money in Londoun to Thomas Brown. Therafter the jurie went apart, and returned after half an houre, and answered everie one, "Guiltie."

Then was Norfolk brought to the barre again. It was told him he was found guiltie, and the edge of the Towre axe turned toward him. Then said Shrewsburie, "Where as thou, Thomas, late Duke of Norfolke, hath beene indyted of severall treasouns, and hath pleaded thyself not guiltie, and putt thyself to the triell of thy peeres, and hath beene by them found guiltie; therefore, the countrie or I doth awaird thee, that thou sall be had from thence to the Towre of Londoun, from whence thou come; and from thence be drawin through the middest of the citie to Tiburne, there to be hanged till thou be halfe deid; then thy bowells to be takin out, and burnt before thy face; thy head to be cutt off, and thy bodie to be quartered, and thy head and quarters to be at the king's will and pleasure. Our Lord have mercie on thy soule."

He confessed upon the Towre Hill, the 2d of June, that he had dealing with the Queene of Scots; and, notwithstanding of her Majestie's clemencie upon his humble submissioun, continued still in his former purpose. He protested he was not a Papist, but a favourer of the reformed religion. Thuanus, in his 49th booke, relateth, that after he was sett at libertie, a beggar was apprehended with some letters careing in a staffe, writtin with ciphers; that at the same time was found a memoriall writtin with ciphers, sent

from the Scottish queene to the Bishop of Rosse, among his papers; the summe wherof was, that seing the Frenche king was embarked in civill warre at home, she would leane to the Spaniard: if she could escape out of the hand of the English, she would saile to Spaine, and open up her whole purpose to King Philip, which she could not so convenientlie by an ambassader or agent. *Item*, That the King of France did in secreit favour the matche contracted betuixt her and the Duke of Norfolke, through feare, as is likelie, of the other matche with Don Johne d'Austria, which the Spanish king hath motioned: That if she assent unto it, the Frenche king, no doubt, will assist her rebells in Scotland. Therefore, she would travell with King Philip, that he insist no further in the matche with Don Johne; and to move him to be contented with her matche with Norfolk, by putting him in hope the Catholick religion sould be restored in Scotland by the meanes of Norfolke, a meane to secure his effaires in Flanders, which cannot otherwise be settled, as Duke d'Alva hath advertised him: that by extirpatioun of heresie in Britaine, that the Spanish king his minde did hang in suspense hithertill, becaus he doubted of the fidelitie of Norfolke, a man fleeting and flowing in the caus of religioun: that to exeeme this scruple, Robert Ridolph, the Florentine, certifeid the Pope of the Duke of Norfolk's fidelitie, that the Pope might perswade the King of Spaine: that it was her intentioun, if Norfolke thought it expedient, to send her sonne to Spaine als soone as she might gett him in her hands, to be brought up there in the Catholick religioun; and that all pretext might be takin away from her rebells in Scotland, who, under the shadow of his name, mainteaned their insurrections. Ridolph went to Rome, and returned with letters from the Pope to the Duke of Norfolke, wherby he signified, that both he approved his purpose, and would deale with the King of Spaine to that effect.[1]

[1] Every thread of this dark and complicated conspiracy was completely unravelled, but we should wonder less at the ingenuity that detected it, than the merciless use of the rack that was employed for the purpose. Several of the Privy Council attended night and day for upwards of a fortnight at the Tower, to examine the wretched accomplices under torture, so that Sir Thomas Smith, one of the Commissioners, was

These letters, together with this memoriall, were found among the Bishop of Rosse his papers, himself then lying in prisoun. Wherupon the duke and his complices were committed to the Towre. He was arraigned the 16th of Januar. The heads of his indytement were these, That, without knowledge of the queene, he intended to marie the Scotish queene, partlie to preferre her title to the crowne of England, partlie to colour the murther of the Lord Darly, her husband; that he dealt not faithfullie in his commission at Yorke: that he tooke part with the rebells in the north; that, contraire to his promise, and after his humble submissioun to the queene, he did treate againe by messingers upon the matche; that he communicat with the Bishop of Rosse, and Ridolph, a Florentine, tuiching aide to be receaved from the Pope and the Duke d'Alva; that he sent money to the rebels which had fled into Scotland, and to the Scotish rebels, her adversareis; that he intended to invade Scotland, at what time England sould be invaded; that he intended to deliver the Scotish queene out of custodie, ather by force, change of apparell, or suche like stratageme;[1] that after, he sould have

so sickened with these spectacles of suffering, that he wished to be excused from further attendance. He thus expresses his mind to Lord Burghley upon the subject: "Though we be importune to crave revocation from this unpleasaunt and panefull toil, I pray you be not angry with us. I assure you, for my part, I would not wish to be one of Homer's gods, if I thought I should be Minos, Æacus, or Radamanthus: I had rather be one of the least *Umbræ in Campis Elysiis.*" He goes on to state, that on the following day two more persons are to be laid upon the rack, not in hope that any thing further would be elicited from them, but because such was the queen's order.

[1] During the course of the examination, Burghley wrote to the Earl of Shrewsbury, to commend his close keeping of the Queen of Scots, and thus speaks of the attempts to rescue her: "The conveyance of that queen from yow appereth to have bene many wayes attempted, wherof the duke confesseth to have bene acquainted with sondry. Besyde Sir Thomas Stanleye's enterpryse, Sir Henry Percy, for whom I am right sorry, was a gret devisor to have had hir from yow about Ester last, and the Bishopp of Ross had befor taken the mesure of a window wher she shold have beene letten downe: Your change of her lodgyng altered the enterpryse, wherat she was much offended. Powell also, the pencionar, who is this day sent to the Tower, was an other enterprisor: One Raw, a servant of the Lord Lumley's, wold allso have stollen and carryed her to a castell in Cleveland, in Yorkshyre, of the Lord Lumley's: But in all ther confessions it appereth your strayt keping of hir disappoynted them."

raised an uproare in the countrie, declare her Queene of Scotland and England, and to send her sonne to Spaine to the Spanish king, enemie to both realmes. After he was convicted, he was led to the Towre, and keeped for conviction of others. About the 10th of May the estats urge executioun.[1] He was brought furth the 2d of June to the Towre Hill. He confessed he had offended in treating of the mariage without the queen's knowledge; that he had receaved two letters from the Pope; that he entered in sindrie purposes and great familiaritie with the Papists, and denied that he meant anie harme to the queen's person, or deprive her of the kingdome; but most of all, he denied that he was a Papist. He was beheaded with an axe, and his head shewed to the people. After he had lyin an houre, his bodie and head were careid by his domesticks in a beare to the neerest kirk, and bureid; for the queene had mitigated the punishement pronounced at his doome.

THE INHABITANTS OF EDINBURGH SUMMONED.

About the time of the last Generall Assemblie, holdin in Januar, there were about tenne or twelve score persons, inhabitants of Edinburgh, summouned to compeere at Leith the last of the moneth of Januar, wherof a great number found sovertie: Mr Thomas Makcalzeane, Cuthbert Ramsay, George Heriot, goldsmith,[2] George Wauchop, merchant, Mungo Fairlie, merchant, Johne Maine, merchant, William Dicksone, flesher, etc.

[1] The execution of the duke's sentence had been delayed four months; but in consequence of several plans on the part of his friends to rescue him from prison, it could be deferred no longer. Indeed, he was so enthusiastically beloved by the people for his munificence and universal courtesy, that he was more dangerous as a prisoner than at large.

[2] Father to the benevolent founder of Heriot's Hospital. He was frequently employed afterwards as a Commissioner in the Convention of Estates, and Parliament of Scotland, and he was Convener of the Trades of Edinburgh at five different elections of the Council. He died A. D. 1610.

WESTERRAW SLAINE.

Upon Wednesday, the penult of Januar, Claud Hammilton came to an oastler hous, to apprehend Westerraw and old Carmichaell. After the hous was sett on fire, they rander themselves, upon conditioun their lives be spaired. But when they come furth, and after their armour was takin from them, Westerraw was slaine, and Carmichael careid away prisoner.

Upon the 28th of Januar, the Erle of Morton went to Sanct Andrewes, and caused affixe the edict following upon the kirk doore, and the Abbey Gate, upon the Lord's day, the 3d of Februare.

THE BISHOP OF SANCT ANDREWES' EDICT.

"Forsameekle as our soveran lord's letters, under his Highnesse' great seale, are directed to the deane and chapter of the metropolitan kirk of Sanct Andrewes, granting them licence to choose another archbishop and pastour, the seate now vacant by the naturall death of the last bishop therof, requiring us to suche one in the name of the bishop and pastour of the same, as sall be devote to God, and to his Highnesse and his realme profitable and faithfull: And to the effect that the said electioun may proceed to the pleasure of God, and to the weale of the king, the sixt day of Februar nixt to come is appointed: Requiring and charging heerefore, all the godlie ministers nominated and appointed to represent the chapter in the reformed kirk, that they be present at Sanct Andrewes, &c., the said day, to doe and performe that which to them in the said electioun apperteaneth. Subscrived at Leith, the 24th of Januar, the yeere of God 1572." The ministers that are nominated to be present: The Pryour of Sanct Andrewes, Deane; the Pryour of Portmook; the Ministers of Edinburgh, Leith, Perth, Carraill, Cowper, Anstruther, Dysert, Kirkaldie, Kinghorne, Linlithquo, Stirline, Dumbar, Hadinton, Dumfermline, Aberbrothe,

Fethercarne, Dunce, Methven, Eglisgreig, Forgun in Mernes, Long Forgun in Gowrie, Rossy, Leuchars, Dairsie, Kingoure, Lathrisk, Merkinche, Sconie.

THE ELECTION OF THE BISHOP OF SANCT ANDREWES.

The sixt day of Februare, Mr Johne Dowglas, Rector, gave a prooffe of his gift in the pulpit of Sanct Andrewes, the Erle of Morton being present. Upon Fryday, the eight day, so manie as were warned by the edict, and were present, conveened in the Abbey. Mr Patrik Constan, alias Adamsone, who looked to have beene preferred to that bishoprick by the moyen of the Clerk of the Register, shooting short, preached against the course. In his sermon, he made three sorts of bishops: "My lord bishop," "my lord's bishop," and "the Lord's bishop." "My lord bishop," said he, "was in time of Papistrie; my lord's bishop is now, when my lord getteth the benefice, and the bishop serveth for a portioun out of the benefice, to make my lord's title sure: the Lord's bishop is the true minister of the Gospell." Great debate there was at the electioun; but in end, the rector was chosin, notwithstanding that manie ministers oppouned. George Scot, minister of Kirkaldie, tooke instruments that he condescended not.

THE INAUGURATION OF THE BISHOP OF SANCT ANDREWES.

Upon the Lord's day, the tenth of Februar, Mr Knox, being then resident at Sanct Andrewes, preached, the Erle of Morton being present; but refused to inaugurat the said bishop; yea, in open audience of manie then present, denounced *anathema* to the giver, *anathema* to the receaver. After sermon, the Superintendent of Fife went up to pulpit, and made an exhortation upon the first chapter of the Epistle to Titus. The exhortation being ended, he followed the order which was used in admission of superintendents; demanding the same questions, and the rector answering, having his answeres writtin in paper, and reading them after everie

questioun. Mr William Cocke, Bailliffe of Sanct Andrewes, answered in name of the people: therafter, the Bishop of Cathnesse, Mr Johne Spotswod, Superintendent of Lothian, and Mr David Lindsey, sitting with the rector upon a furme, before the pulpit, the time of the sermoun, layed their hands on him, and embraced him, in signe of admissioun to the archbishoprick. Being demanded, if anie simoniacall pactioun was made, or was to be made, he answered, "None;" but it was not true. Being demanded, if he would be obedient to the kirk, and usurpe no power over the same? answered, He would clame no greater power nor the Counsell and Generall Assemblie sould prescrive.

OPPOSITION TO THE SECUND SORT OF BISHOPS.

When Mr Johne Rutherfurde, proveist of the Old Colledge, slaunderouslie alledged Mr Knox his repynning to proceed from malcontentment, Mr Knox purged himself the nixt Lord's day, in these words: "I have refused a greater bishoprick nor ever it was, which I might have had with the favour of greater men nor he hath his. I did, and doe repyne, for discharge of my conscience, that the Kirk of Scotland be not subject to that order." Notwithstanding that the better sort were miscontented, the course prevailed. The lords cried out, that they behoved to leave the ministers, if they gott not the kirk livings. Some of the ministrie were poore, some covetous and ambitious; some did not take up the grosse corruptioun of this humane inventioun, some had a carnall respect to some noblemen, their freinds; so it was easie to the court to obteane the consent of manie ministers. Yitt at the agreement made at Leith, no farther power was granted to them nor to superintendents. When they usurped further, they were takin doun again to that measure in the Assemblie holdin in Marche, 1573. They were not exeemed from the censure of the Generall Assemblie, nor consecrated by three bishops, according to the old canons. These bishops were called Tulchan bishops. A Tulchan is a calve's skinne stuffed with straw, to caus the kow give milke.

For the lords gott the benefices, and presented suche a man as would be content with the least commoditie, and sett the rest in fewes, tacks, pensions, to them or theirs.

THE REBELS CANNOT BE MOVED TO ACKNOWLEDGE THE KING'S AUTHORITIE.

Mr Randulph and the Marishall of Berwick came to Leith, the 21st of Februare, as commissioners from the Queen of England, to travell for agreement betwixt the parteis. But the rebels refused to give obedience to the king, or to allow the present regiment.

METHVEN SLAINE.

Upon Moonday, the thrid of Marche, the Lord Methven was slaine with a shott from the castell.

THE TWENTIE-FOURTH GENERALL ASSEMBLIE.

The Generall Assemblie conveened at Sanct Andrewes, in St Leonard's Colledge, the sixth day of Marche. Mr Robert Hammiltoun, Minister of Sanct Andrewes, was chosin Moderator.

TRIELL OF SUPERINTENDENTS.

In the triell of superintendents, the Superintendent of Fife was compleaned upon, that in his visitatioun he consulted not with the ministers and elders tuiching things to be reformed; that he had givin a vicarage to one who had no functioun in the kirk, to the great prejudice of ministers. He was admonished to be more diligent in visitatioun. Upon Mr Johne Rutherfurd, Proveist of St Salvator's Colledge, his complaint for dispouning of the said vicarage, the Assemblie gave commissioun to some brethrein to passe to St Salvator's Colledge to consider the foundatioun therof, and what they find concerning the vicarage of Kilmanie. They re-

ported to the Assemblie as followeth :—"*Vicariæ de Kilmanie, electio et presentatio ordinaria facienda ad Dominum præpositum, et cæteros de dicto collegio graduatos, debent pertinere. Qui quidem vicarius omnia onera ordinaria subire tenetur. In fundatione collegii Santi Salvatoris, ita invenimus, ad verba scriptum testantibus, nostris chirographis subscriptis, et ex commissione ecclesiæ, ad id muneris destinatis, septimo mensis Martij*, 1571. *Gulielmus Christesonus*, A. Hay, David Lindsey, Johne Row, Mr Gilbert Gardin." The Assemblie ordeaned a letter to be writtin to the Senators of the Colledge of Justice, to declare what they had found in the said foundatioun.

SUPERINTENDENTS CONTINUED WITHOUT PREJUDICE OF THE NEW BISHOPS.

In the thrid sessioun, Mr Johne Wynrame, Superintendent of Fife, of his owne free will, and for certan causes moving him, purelie and *simpliciter* dimitted the office of his superintendentrie which he had within the diocie of Sanct Andrewes, requeisting them to provide another. In the fourth sessioun, the Assemblie ordeaned the Superintendent of Fife to exerce his owne jurisdictioun, as of before, in the provinces not subject to the Archbishop of Sanct Andrewes; and requested him to concurre with the said archbishop, when he required, in his visitatioun or otherwise. And in like maner, the Superintendents of Angus and Lothiane to continue in their jurisdictioun, in maner foresaid, without prejudice of the said archbishop, except by virtue of his commissioun.

A COMMISSION.

The brethrein conveened, remembering upon the commissioun givin to certane brethrein in the Assemblie past before, to conveene with the regent's Grace and Secreit Counsell, to treate upon the heeds which were to be proponned to his Grace and counsell; as also, suche heeds and articles as they had to propone in name of the Assemblie: In respect wherof, understanding that the saids

brethrein, commissioners, had alreadie concluded upon some heeds with my lord regent's Grace and counsell forsaid, and had reported the same to this Assemblie, appointed the Archbishop of Sanct Andrewes, Messrs Johne Knox, Johne Craig, Johne Row, Alexander Arbuthnot, James Wilkie, Patrik Adamsone, Gilbert Gardin, William Clerk, Robert Montgomrie, William Christesone, David Fergusone, William Spence, George Leslie, George Scot, Mr Johne Rutherfurde, Patrik Kynninmonth, with the Superintendent of Fife, Messrs David Lindsey and Andrew Hay, commissioners before appointed, that they, or eight of them, conveene in Mr Knox his hous, this day at two after noone, and there consider and sight the saids articles and conclusiouns; and what they find agreeable to God's Word, and to the utilitie of the kirk, to report the same to the Assemblie this night, or the morne, that the saids conclusions may be inserted in the register. But we find no suche thing in the register.

SUPPLICATION.

Mr Patrick Adamsone gave in a supplicatioun, requeisting the Assemblie to ratifie the pensioun he had granted to him by the lord regent's Grace, of good memorie, out of the personage of Glasgow, and to desire their procurators to assist him in this caus; offering to enter in the functioun of the ministrie, according as it sould please the kirk to call him. The Assemblie desired their advocats to assist him in his actioun; requested the lords to minister justice to him, and promised, when the said pensioun sould be evicted, to ratifie it, providing he doe as he hath promised; wherupon Mr Patrik subscrived the supplicatioun.

THE BISHOP OF SANCT ANDREWES HATH MANIE OFFICES.

Howbeit Mr Johne Dowglas promised to dimitt the rectorie of the Universitie, and Provestrie of the New Colledge, how soone he sould be admitted to the bishoprick, yitt the Assemblie, for certan causes moving them, continued the said bishop in the rectorie

till the nixt Assemblie; providing, in the meane time, a qualifeid man might be provided to the provestrie, according to the foundatioun. Mr Knox, when he heard of it, regrated that so manie offices were layed upon the backe of an old man, which twentie men of the best gifts could not beare; and said, he would be disgraced and wracked; which came to passe indeed; for he had nather that honour, healthe, nor wealth, that he had before. He was unable of his bodie to travell, and more unable of tongue to teache.

MR KNOX HIS THREATNINGS COME TO PASSE.

About this time, Mr Knox was verie weake in bodie, but mightie in spirit. The day that he was to teache, he stepped softlie to the kirk, having furring about his necke, a staffe in the one hand, and his servant, Richard Bannatyne, holding him up on the other side, from the abbey to the parishe kirk of Sanct Andrewes. He was lifted up in the pulpit, and behoved to leane a while; but ere he ended his sermon, he became so active and vigorous, that it seemed he would breake the pulpit in peeces. Mr Andrew Young, afterward minister of Dumblane, wrote his sermons, translated some of them in Latine, read them in the hall of the college instead of his oratiouns. Mr Robert Hammilton, minister of the toun, being offended with his particular applications, demanded what warrant he had to threaten so particularlie, that the Castell of Edinburgh sould runne like a sand-glasse; that it sould spew out the captan with shame; that he sould not come out at the gate, but over the walls, etc. Mr Knox answered, "God is my warrant, and yee sall see it." The other was skarse content with this answere. In the nixt sermon, Mr Knox repeated what he had said, and added, "Thow, that will not beleeve my warrant, sall see it with thy eyes, and sall say, 'What have I to doe heere?'" It happened, that Mr Robert was in Edinburgh, when the fore warke of the castell was demolished, and runne like a sandie brae. He saw the captan come over the walls, upon ledders, with a staffe in his hand. He being troubled with the throng, said to his servant,

"What have I to doe heere?" His servant, at Mr Robert's direction, wrote Mr Knox his sermons, (for what end God knoweth:) he putt him in minde of the sermon, and the words. Then Mr Robert, howbeit he was a Hammilton, was compelled to glorifie God, and to say, he was a true prophet.

THE CASTELL OF BLACKNESSE SOLD.

Alexander Stuart, Captan of Blacknesse, sold the castell to the rebells lying at Edinburgh for eight hundreth crownes. He alledged, the regent and the rest of the lords would not give him maintenance, and that he was superexpended.

VICTUALS WITHHOLDIN FROM EDINBURGH.

In the beginning of Aprile, the mylnes of Edinburgh were brokin, and some men slaine, standing in defence. Souldiours were placed in Craigmillar, Merchinstoun, Ridhall, and Corstorphine, to withhold victualls from Edinburgh.

BEZA'S LETTER TO MR KNOX.

Theodore Beza directed a letter to Mr Knox, dated at Geneva, the 12th of Aprile, which is extant among his epistles, wherin he willed Mr Knox to remember, that as bishops did breed Poprie, so, false bishops, the relicts of Poprie, did breed Epicureisme; and, therefore, as they lowed the safetie of their kirk, to be ware of this pest, that it being already cast furth, gett not entrie againe, under whatsoever pretence of unitie.

MR ARCHIBALD DOWGLAS APPREHENDED.

Upon the 14th of Aprile, Mr Archibald Dowglas was apprehended, and sent to Stirline. It was reported, that he sould have betrayed the Lord of Morton, or shott him with a dag. He had

receaved, a little before, from Mr George Hackett, out of Flanders, five thowsand crownes, which sould have beene sent to the rebels of the castell. He sent but foure thowsand. The captan rebooked him by letter, and said, five hundreth might have served him.

SOULDIOURS SLAINE AND HANGED.

Upon Fryday, the 25th of Aprile, the Erle of Morton went out of Leith, to ly in wait for Claud Hammilton, who was to come to Edinburgh with some victuals, as was reported. Some souldiours were sent before, who forgathered with twentie-two souldiours sent from Edinburgh to Blackenesse, of which number they slue fyfteene. Five were brought to Leith, and hanged, wherupon two were hanged by the other partie, upon Mowtraye's trees.

MERCHINSTON DEFENDED AGAINST THE REBELS.

Upon Moonday, the fyft of May, there issued out of Edinburgh some, to burne the lower hous of Merchinston. But these who were in Leith come to rid the fire, chassed in the horsemen to Edinburgh, hurt Captan Skougall and sindrie others, notwithstanding of fourtie shott of cannon out of the castell. The regent placed twentie harquebusiers and tenne or twelve horsemen in Merchinston. The captan sent furth his forces the tenth of June, to demolishe the hous of Merchinston, becaus the regent had placed souldiours in it, to stoppe victuall. The regent sent some souldiours out of Leith, who drave them backe with shame.

DEARTH IN EDINBURGH.

By withholding of victuals, a pecke of meale was sold for twelve shillings in Edinburgh. They were forced to drinke vinegar and water together instead of aill. The timber of some houses, which it pleased them to take doun, was sold by stone weight.

CAPTAN HUME SLAINE.

Upon the 2d of Julie, Patrik Hume, captan to the regent's horsemen, was slaine, in rescuing a drift of cattell, which Phairnihirst had brought from a peece of ground, which the said Patrik had gottin by forfaltrie of James Hammilton of Bothwelhauche.

SKIRMISHING AT HAMMILTOUN.

The Hammiltons lay in the wood of Hammiltoun skirmishing with Captan Crawfurd. They slue seven or eight, and tooke als manie; the captan himself hardlie escaped. Manie other skirmishes I omitt, but these are sufficient, to see in what estat the countrie was in time of these civill warres.[1]

[1] The events of this war, which are more fully detailed in other records and histories of the period, exhibit a rivalry in cold-blooded cruelty, wherein it is difficult to tell which of the two parties had the hateful pre-eminence. A band of queen's soldiers from Edinburgh are attacked by a body of the king's partisans, to whom they surrender, and deliver their weapons—but the captors slay fifteen of them in cold blood, drive the rest to Leith like a drove of bullocks, beating them all the way with their truncheons, and goading them with the points of their spears, after which, they hanged them without ceremony—and this summary process, in allusion to Morton, by whom these deeds were chiefly patronized, were called "The Douglas Wars." Those of the other side immediately made reprisals, by hanging, not only the prisoners whom they had received to mercy, but those who afterwards fell into their hands. When fuel was scarce in the town also, they not only threw down several houses of the opposite faction, and sold the timber at an exorbitant price, but appointed a functionary, nicknamed by the populace the Captain of the Chimneys, to take account of such houses as had been abandoned by king's-men, and sell them in the market-place, or ransom them at a valuation. These stern proceedings so terrified the neutral citizens, that they fled to Leith; but, instead of finding refuge there, they were driven back to the capital by proclamations, in which they were denounced as spies, and threatened with the gibbet. When Edinburgh was girdled with garrisoned houses and peels, so strictly were supplies to the city prohibited, that the country people who attempted to smuggle their little stores into the market were hanged, drowned, or burnt in the cheek; and this provoked the castellans to a more remorseless havoc upon the estates of their enemies, and a more frequent execution of prisoners without trial or sentence.

AN ABSTINENCE GRANTED.

Monsieur La Crocke, and the Marishall of Berwicke, Mr Drurie, came to Leith the 18th of May. After long travell takin by them, an abstinence and cessation from armes was concluded for two moneths, which was to beginne the first of August, during which time all other maters sould be conferred upon; as is conteaned in the forme following, subscrived by either partie at Leith and Edinburgh, the penult of Julie.

THE FORME OF THE ABSTINENCE GRANTED BY MY LORD REGENT'S GRACE, AND LORDS SUBSCRIVING WITH HIM, TO THE LORDS WITHIN THE CASTELL AND TOUN OF EDINBURGH, AND THEIR ADHERENTS.

"We, the noblemen of the realme of Scotland undersubscriving, following the instance and exhortatioun that the ambassaders of that most Christian King of France, and the Queen's Majestie of England, make unto us; for ourselves, our assisters, partakers, and sûche as depend upon us, by the tenour heerof, sweare and promise an abstinence and cessatioun from hostilitie betwixt us and our adversareis that presentlie be in armes against us, their assisters, partakers, and suche as depend upon them; to beginne this present day, and to endure till two moneths be fullie outrunne, during the which, we oblishe us and promise, that with all sinceritie and suretie the said abstinence from warre, and cessation from hostilitie, sall continue: and so soone as may be, that the nobilitie and states of the realme sall be assembled, to advise, how by their meanes to rander the realme peaceable, and establishe a good and generall peace, which, with their companeis, sall be in full suretie in their comming to that place, remaining and returning therefra, during the said space of two moneths.

"And that so holie a worke be not retarded, we accord, that during the truce and abstinence, two, three, foure, or five, moe or

fewer, of either partie, communicat together in all suretie, in suche place as sall be agreed upon, to open up the meanes for the more facile atteaning to a good peace. And if it chance (which God forbid) that, at the assemblie of the nobilitie and estats, the said peace and reconciliation may not be concluded, We, by the tenour heerof, for our parts, referre the difference betwixt us and our said adversareis, als weill of the abstinence as of the peace, to the arbitrement of the said most Christian King of France, and the Queene's Majestie of England; and promise faithfullie, upon our honours, to accept and hold the conditions concerning the peace and abstinence, which their Majesteis sall propone unto us: Providing, that the abstinence or pacification that may follow therupon on no wise tuiche the king our soveran lord and his estat, to the prejudice therof; and that the persons heerafter excepted be subject to judgement and execution of the law, the said abstinence notwithstanding: They are to say, James, sometimes Erle Bothwell, James Ormeston, sometime of that Ilk, Patrik Hepburne, sometime of Beenstone, Patrik Wilson, sometime servant of the said erle, James Hammilton, sometime of Bothwelhauche, Johne Hammilton, sometime Proveist of Bothwell, his brother, with the whole theeves and brokin men, inhabitants of the borders and Hielands, disturbers of the publict peace betwixt this realme and England, and oppressers of the peaceable subjects of this realme: Providing alwise, that so manie of the said borderers, or Hieland men, as have taikin part with anie of the parteis, be not during the abstinence persued for things bypast, and of that which they have done at commandement of ather partie, seing it is not meaned that anie of their faults sall be covered, but onlie suche as have beene directlie done in the querell of either partie. If during the abstinence they doe wrong to anie man, it is accorded, that for the same they be punished as apperteaneth, and no impunitie sought for their attemptats committed against England. But it is understood, that they sall be answerable for the same, conforme to the lawes of the borders.

"And, to the end that the subjects of this realme may find them-

selves presentlie some thing discharged of the burthein of the warre, and may with greater desire embrace that peace when it sall please God to send it, We agree, that, during the said abstinence, all the subjects of this realme, of whatsomever qualitie or conditioun they be of, (except before excepted,) may freelie and lawfullie traffique, speek, and converse together, through all the parts of this realme, untroubled, molested, or impeshed ather in bodie or goods, by word or deid, by the law or beside the law, for things past; and tak our said adversareis now bearing armes against us, their assisters, partakers, and suche as depend upon them, mutuallie in our protectioun, mainteaning and conforting together faithfullie one another against all the injureis that may be done by us, or anie that we promise for, or by anie of them that are enemeis to the peace. Moreover, to make the meanes of peace the more facile, and that, by their familiar communicatioun and conversatioun, the hearts of these who have been offended may be mollified, and induced to forgett things that are past, by conference to be had with some of our adversareis, and therafter acknowledge that we are all members of one bodie, being of one countrie, and naturall Scotishmen, the communication and conversation sall in no wise be forbiddin by us to them, but permitted with all libertie over all places, tounes, and rowmes, where ever it may be: Providing, that the toun of Edinburgh be presentlie, and first of all, sett at suche libertie as it was in before the king our soveran lord's goodsir, and late regent, departed furth of the same upon the 27th day of Januar 1570; and the castell therof to be keeped with no greater garisoun than it was at that time: as also, that all other touns of this realme presentlie be sett at the like libertie, and made patent, so that no place therof sall be withholdin, fortified, nor garnished, saving the castells and fortresses that of all ancietie, and before thir troubles, have beene accustomed to be fortified and guarded: And that, by this meane, all men, or their servants, without feare of men of warre or violence, may freelie enter, and dwell in their owne houses, as sall please them, during the said truce and abstinence.

"And forsameekle as manie persons within this realme have,

during thir troubles, seazed themselves on other men's lands, wherupon there are presentlie fruicts that may be collected and wonne during the said abstinence, of the which debate may follow, which may stop and hinder the good and holie effect which is to be hoped of the said peace, We therefore accord and agree, that these who have the saids lands sall not preasse to lift the saids fruicts, and speciallie the cornes; but sall leave the same stacked in heape upon the feilds, or in grainges, untuiched or dispouned upon anie way, whill the end of the said abstinence. And, for observation and fulfilling of all these above-specified, we oblishe us, upon our faiths, hondurs, and by our solemne oaths, that we sall caus the whole be keeped by our selves, our adherents and partakers with us. In witnesse heerof, we have subscrived thir presents with our hands. At Leith, the penult day of Julie, the yeere of God 1572."

THE RETURNE OF THE CITICENS TO EDINBURGH.

This abstinence was proclamed in Leith, upon Wedinsday, the penult day of Julie, at afternoone; and upon Thursday at night, the day following, the regent's souldiours, and the citicens of Edinburgh, who assisted the regent in Leith, came to Edinburgh in their armour, in good order, wherewith the castell men not content, would have had them stayed for that night. The ambassader commanded them to returne backe, when they were at the Cannogate, readie to enter in the toun; but they would not be stayed. They stood that night upon their owne guard, in their armes. It was thought, if they had not entered that night, they had gottin entreis at that time; and that these within the castell had agreed to the abstinence, onlie to gett some victuals.

THE REGENT'S ENTRIE IN EDINBURGH.

Upon Fryday the first of August, the regent, and the lords who were with him, came to Edinburgh, and caused proclame the abstinence, charging, that none on no wise presume or tak upon hand to

doe or attempt anie thing tending to the violation thereof, under the paine of death.

THE TWENTIE-FYFT GENERALL ASSEMBLIE.

The Generall Assemblie conveened in the Tolbuith of Perth the sixt of August. Johne Areskine of Dun, Knight, Superintendent of Angus and Mernes, was chosin Moderator.

BOOKS OF VISITATIONS SURVEYED.

Mrs Johne Craig, William Christesone, Andrew Simsone, Robert Hammiltoun, Johne Duncansone, and James Dalrumpell, were appointed to visite the bookes of the Bishop of Sanct Andrewes' superintendents' and commissioners' visitations.

THE BISHOP OF SANCT ANDREWES CRAVETH HELPE.

This Assemblie declared the diocie of St Andrewes, wheresoever it lyeth, to perteane to the Bishop of St Andrewes, and to no other superintendent, to visie and plant kirks therin. Becaus the bounds were large, and the bishop not able to discharge his office in his owne person, he desired some of the godliest and best learned to concurre with him, to tak order how the whole diocie might be served; and, to that effect, he desired to have the counsell of the Superintendents of Angus and Lothiane, Mr Robert Pont, Mr Andrew Hay, and Mr Johne Craig, ministers, wherunto the Assemblie agreed.

AN ACT.

To the effect that obedience may be givin to the present Moderator, and in all times heerafter, the whole brethrein assembled, in one voice and minde ordeanned, that no person, of what estat soever he be, tak in hand to speeke without licence asked and granted

by the Moderator; and, after licence obteanned, that the persons speeke and keepe moderatioun in reasouning and answering, and also keepe silence when he sall be commanded by the said Moderator, under the paine of removing out of the Assemblie, and not reentring therin during that conventioun. And this to be a perpetuall act for all Assembleis heerafter.

MR P. ADAMSONE CHARGED TO RE-ENTER IN THE MINISTRIE.

Mr Patrik Adamsone was commanded to enter in the ministrie at Paisley, at what time the Commissioner of Cliddisdaill sall charge him thereto; which the Assemblie desireth to be done with all diligence, according to Mr Patrik his owne promise.

Tuiching the revising of the heeds and articles concluded at Leith in the moneth of Januar last, betuixt my lord regent's Grace's Secreit Counsell and the commissioners of the kirk, the whole Assemblie appointed the Superintendents of Angus and Fife, Mrs Johne Craig, Johne Row, William Christesone, David Fergusone, David Spence, Johne Rutherfurde, Patrik Kynninmonth, together with Mrs Robert Pont, David Lindsey, Andrew Hay, and Mr William Lundie of that Ilk, that they conveene upon Fryday nixt to come, at six houres in the morning, in the counsell hous, and oversee and consider the saids conclusiouns, and what they find therin ather to be reteanned or altered; to report the same again to the Assemblie; ordeaning all and sindrie brethrein, that have anie reasons to alledge against the saids conclusiouns, that they conveene with the forsaids brethrein the said day, or before, and shew their opinioun, with certification, that therafter they sall not be heard theranent.

The brethrein appointed for viseing the heeds and articles concluded in Leith, in Januar last, with the regent's Grace and Secreit Counsell, presented to the Assemblie a protestation, with their opinioun anent some of the heeds and conclusions, requiring the whole Assemblie to adhere unto the same, the tenour wherof followeth:

"Forsameekle as, in the Assemblie holdin in Leith in Januar last, certan commissioners were appointed to travell with the nobi-

litie and their commissioners, to reasoun and conclude upon diverse articles and heeds then thought good to be conferred upon; according to which commissioun, they proceeded, at diverse diets and conventions, and finallie concluded, for that time, upon the saids heeds and articles, as the same produced in this Assemblie proport: In the which, being considered and read, are found certane names, suche as Archbishop, Deane, Archdeacon, Chanceller, Chapter; which names were thought slanderous and offensive to the eares of manie of the brethrein, appearing to sound to Papistrie: Therefore the whole Assemblie, in one voice, als weill these that were in commissioun at Leith, as others, solemnlie protest, that they meane not, by using of anie suche names, to ratifie, consent, and agree to anie kinde of Papistrie or superstitioun, and wish rather the saids names to be changed into others that are not slaunderous nor offensive. And in like maner protest, that the saids heeds and articles agreed upon be onlie receaved as an *interim*, till further and more perfyte order may be obteaned at the hands of the king's Majestie's regent and nobilitie, for which they will preasse, as occasioun sall serve." —Unto the which protestatioun the whole Assemblie presentlie conveened in one voice adhered.

"Tuiching the names and titles of Archbishops, we thinke good, that they that had the names of Archbishops heeretofore, that heerafter, in these things concerning the functioun of the kirk, they sall use the name of Bishop, and not Archbishop. Toward the name of Chapter, Deane, Archdeacoun, and Chancellarie, we thinke it good, that becaus their names sound, to bring superstitioun with them, and so, offensive to the eares of a great number of the kirk, Therefore, desire they may be changed in other names tending to the same purpose; such as, the chapter to be called the Bishops' Assemblie; the Deane, Moderator of the said Assemblie. As to the functioun of the Deans, Archdeacons, and Chancellers, we thinke good that some be appointed by this present Assemblie to trie and give in their judgement toward the said functions, how farre they sall extend in particular; and also, toward the functioun

of the abbots and pryors, and toward the interchanging of all their names, in other names more agreeable to God's Word, and the policeis of the best reformed kirks; and they to report the same to the nixt Assemblie, or ellis to the nixt parliament, if anie happeneth to be betuixt this and the nixt Assemblie. And we thinke good, that commissioners be appointed by this present Assemblie, to await upon the parliament, if it sall happin to be; or otherwise, to passe to the regent's Grace and Secreet Counsell, for suche things as sall be givin to them in commissioun."—Farther viseing of the saids conclusions, the said brethrein continued till farther opportunitie, alwise adhering to the former protestatioun.

MR KNOX HIS LETTER TO THE ASSEMBLIE.

Mr Knox sent the letter following to the Assemblie, howbeit it be not extant in the register:—

> "*Fyght and faint not, for the battell is short, and the victorie with Jesus Christ is riche, and without end.*

"Howbeit I have takin my leave, not onlie of you, deere brethrein, but also of the whole world, and all worldlie effaires, yitt, remaining in the flesh, I could not, nor cannot, ceasse to admonishe you of things which I know to be most prejudiciall to the kirk of Christ Jesus within this realme. Above all things, preserve the kirk from the boundage of the universiteis. Perswade them to rule themselves peaceablie, and order their schooles in Christ. But subject never the pulpit to their judgement; nather yitt exempt them from your jurisdictioun. Take heed, that nothing proceed under your name, by particular factiouns. Farther, I have communicated my minde with thir two deere brethrein. Heare them, and doe as yee will answere before God, who presentlie worketh potentlie, how blind so ever the world remaineth. Fight ye in the

truthe, and for the libertie of the same, and be assured to triumphe with Christ Jesus; to whose mightie protectioun I unfainedlie committ you.

"From Sanct Andrewes, the fyft of August, 1572."[1]

MR KNOX SENT FOR TO EDINBURGH.

The citicens of Edinburgh sought, at the last Assemblie, a minister to be joyned with Mr Knox, wherupon commission was givin to the Superintendent of Lothiane, with advice of so manie ministers of the province as he sould choose, of the sessioun of the church, and of Mr Knox, to choose a qualified man; and to the said superintendent, to charge him to enter to the ministrie of the said toun, under paine of disobedience to the Assemblie. Mr Craig was not weill liked of by the professors, becaus he sweyed over muche to the sword hand. Nicoll Udward, and Johne Johnstoun, scribe, were sent in commissioun to Mr Knox, resident then in Sanct Andrewes. They presented to him a letter directed from the sessioun, craving his presence and travells among them again, and his advice in the choice of another minister. The Superintendent of Lothian was present when they came. Mr Knox yeelded to returne, but upon conditioun he sould not be desired nor preassed to temper his tongue, or to absteane from speeking against the treasonable dealings of the castell of Edinburgh; and willed them to signifie the same to the whole brethrein, least they repent afterward, or feare to be worse intreated for his caus. These words he repeated after he returned to Edinburgh, before he entered in the pulpit. It was answered, they never meant his tongue sould be bridled, but willed him to speeke according to his conscience, as in former times. As for the other point, after long reasoning, they agreed upon Mr James Lowsone, then Sub-principall of the Colledge of Aberdeene. Mr Knox wrote to him as followeth:—

[1] For the articles transmitted with this letter, see Appendix, letter A.

MR KNOX HIS LETTER TO MR JAMES LOWSONE.

"*All worldlie stremth (yea, even in things spirituall) decayeth, and yitt sall never the worke of God decay.*

"Beloved Brother, seing God of his mercie, farre above my expectation, hath called me once again to Edinburgh, and yitt I feele nature so decayed, and daylie to decay, that I looke not for a long continuance of my battell, I would gladelie once discharge my conscience into your bosome, and into the bosome of others in whom, I thinke, the feare of God remaineth. If I had the habilitie of bodie, I sould not have putt you to the paine to which I require you now, that is, once to visite me, that we may confere together of heavenlie things. For in earth there is no stabilitie, except the kirk of Jesus Christ, ever fighting under the crosse, to whose mightie protection I heartilie committ you.

"JOHNE KNOX.

"From Edinburgh, the 7th of September, 1572.

"Haste, least you come too late."

MR KNOX AND MR J. LOWSONE COME TO EDINBURGH.

After the receipt of this letter, Mr James Lowsone came to Edinburgh, about the 15th of September, and preached upon the Fryday after. Mr Knox came to Edinburgh the 23d of August, and preached the last day of August, in the Great Kirk. But becaus his voice was become weaker, he desired another place to teache in, if it were but to an hundreth persons; which was granted. When Mr James Lowsone came, Mr Knox preached in the Tolbuith, where he continued, so long as God gave him strenth.

THE REPENTANCE OF SOME BURGESSES OF EDINBURGH.

Mr Killigrew came to Edinburgh, about the 12th of September, ambassader from the Queene of England. It was said to him by the captan of the castell and his complices, that there were onlie two or three ministers that railed against them, and called them tratours; and that the toun of Edinburgh had compelled suche as remained within the toun, with terrours, to offer their repentance. Wherupon the persons of whom they meant, Henrie Andersone, Simon Johnston, bakster, Johne Henrysone, bakster, &c., were called before the superintendent and synodall assemblie, to be tried, whether their submissioun to the sessioun of the kirk of Edinburgh was voluntar or compelled. They answered, it was voluntar.

THE ABSTINENCE CONTINUED.

Upon the 22d of September, the regent came to Leith, to make some appointment with them of the castell, during the abstinence, which now draweth neere an end. After long conference at Edinburgh, with small agreement, nothing was concluded, but an abstinence to continue from the 26th day for eight dayes, in hope of appointment: all which time nothing was concluded but another abstinence for foure dayes; and therafter, upon the eight of October, an abstinence proclamed, to continue till the 6th of December.

A CONVENTION APPOINTED.

At this time, the regent and the lords, becaus of the bloody massacre of Parise, and a supplicatioun presented to them by the barons, gentlemen, and other professors presentlie conveened in Edinburgh, appointed by open proclamatioun, a conventioun of commissioners, to be sent from particular kirks, to be holdin in Edinburgh the 20th day of October, to consult, advise, and deliberat upon suche maters and overtures as may be propouned to

the regent and Lords of Privie Counsell, tending to the mutuall defence of the professors of Christ's Evangell within this realme, from the furious rage and lawlesse cruelteis of the bloodie and traterous Papists, executers of the decrees of the devilish Councell of Trent; and in suche things further, as may advance God's glory and true religioun. Libertie, licence, protection, and assurance was granted to all commissioners of kirks, notwithstanding of anie offence committed against the authoritie, to come safelie and freelie to the place appointed; to remaine there during the time of the conventioun, which is to be keeped for this purpose, and to returne at their pleasure to their dwelling-places without trouble, arreist, searche, or impediment to be made to them in bodeis or goods, for twentie dayes after the said 20th day of October, including also the times of their travells granted to them; and with certificatioun, that all that would require particular licence and assurance for this effect, it sould be granted. The proclamatioun was printed, together with some articles of the Councell of Trent, which concerned the exterminioun of all the professours of the reformed religioun in Europ. The ministers of Edinburgh inveyghed vehementlie against the cruell massacre. Mr Knox bade tell the Frenche ambassader, that the sentence was pronounced in Scotland against that murtherer, the King of France: that God's vengeance sall never depart from him nor his hous, but that his name sall remaine in execratioun to the posteriteis to come; and that none sall come of his loynes, that sall injoy the kingdome in peace and quietnesse. La Croke compleaned to the regent and Lords of Counsell; but it was answered, they could not stop the mouths of ministers from speaking against themselves.

THE CONVENTIOUN OF PROFESSORS.

Upon the 20th day of October, the day appointed for the conventioun, there came to Edinburgh none but ministers and some few commissioners, the Laird of Lundie, and some lairds of Lothiane. What was the impediment, whether the regent his sick-

nesse, or another proclamatioun made at the same time, it is uncertane.

"THE HEEDS AND ARTICLES WHICH ARE TO BE PROPONED IN NAME OF THE MINISTERS, BARONS, AND COMMISSIONERS OF KIRKS, TO THE REGENT'S GRACE, NOBILITIE, AND COUNSELL.

"The Assemblie of the kirk conveened at Edinburgh, the 22d day of October 1572, according to the proclamation, first have thought expedient, so farre as present convention is instituted, to provide remeed against the treasonable crueltie of the Papists; and to resist the same. To mitigat the wrath and indignatioun of God, whereby they are stirred up against us for our sinnes, there sall be a publict humiliation of them that feare God, throughout the whole realme, to beginne the 23d of November nixt to come, and to end the last day of the same.

"And to the effect that they who are notorious offenders, and publict slaunderers of the kirk, may be broght to amendement of life, or ellis be excluded from the societie of the faithfull, it is thought expedient, that betwixt this and the 23d of November, in all provinces and parish kirks, where order of discipline is, the superintendents, commissioners of countreis, ministers, and elders, sall call before them, at appointed dayes, all notorious offenders within their jurisdictioun; suche as murtherers, and assisters to murtherers, adulterers, fornicators, robbers of the patrimonie of the kirk or other men's possessiouns, and siklyke other criminall persons in all estats, beginning at the ministrie and nobilitie, and so proceeding to all others, that wickednesse, and suche haynous crimes as offend the Majestie of God, may be purged out of this land; and speciallie, that it may be knowne, that ministers, who ought to be good exemple, als weill in life as doctrine, to provoke others to godlie conversatioun, be not exeemed.

"And, first, it is thought necessar that all superintendents and commissioners of countreis tak diligent inquisition of the behaviour of all ministers, exhorters, and readers; and what faile sall be found, severe correctioun to follow therupon, according to the nature of

the crime. And incace ministers sall appeare to conceale their owne imperfections, that all men may be required to declare to the superintendents and commissioners the vices that they know to be in them. And siclyke, in the reformatioun of the nobilitie consisteth the cheefe exemple of the whole countrie. We crave not onlie a generall reformatioun of the imperfections as be in them, but also that suche vices as in particular sall be givin in to them be amended: Suche as, they be reformed in the wrongous using of the patrimonie of the kirk; applying the same to their particular use, to the great hurt of the ministrie, poore, and schooles; and that the commouns may be eased by them, both in payment of their tithes and other dueteis, in respect of their great povertie; and that they may amend their great negligence in time past, in punishment of vices throughout the whole realme, suche as incest, adulterie, blood-shedding, and sorcerie, &c., and that there be notable persons deputed with commissioun to that effect, to execute the same. And that suche as have receaved commissioun alreadie be charged to proceed therin; and that the acts of parliament and counsell made against oath-breakers of the Sabbath day may be likewise executed. Unto which heeds, conteaned in this article, we desire my lord regent's Grace and counsell to agree, and to authorize the same.

"Secundlie, As concerning the Papists that be within this countrie yitt remaining, that they, without all exceptioun of persouns, great or small, be charged, als weill by the counsell as ministrie, to compeere at certane dayes, as sall be appointed, before suche as the kirk and counsell sall appoint, to give confessioun of their faith, according to the acts of parliament: and suche as have not recanted, to mak publict recantatioun; and they that are excommunicated for that caus, to underly suche injunctiouns as sall be layed to their charge. And if anie of them faile therin, their whole goods and gear to be confiscated, and themselves banished off the countrie; and they that are beneficed persons, their benefice to vaike, and be disponed to qualified persons. And if they (being decerned to be banished) be found therafter in the countrie, it sall be leasome to all the subjects of this realme to invade them, and everie one of

them, to the death, as enemeis to God, the king, the kirk, and commounweale of the countrie; and that suche as are convicted may be executed with all rigour: And all others that be excommunicated for anie other crime or offence, sall be called likewise to particular dyets, to satisfie the kirk, or ellis to incurre the like paines as is before specified: and they that receave and mainteane them, if, after due admonitioun, they desist not from their companie, sall be holdin partakers with them, and be compted in their ranke of Papists, and to be punished in semblable maner. And further, we desire, that the act of parliament be putt in executioun, that none be admitted to publict offices of counsell, sessioun, or otherwise, that are knowne to be Papists, or favourers of them. Also, becaus there is masse said in certan places of this countrie, as in Old Aberdeen, Dunkelden, Paisley, Eglinton, that there be a speciall day appointed, to assemble the professors of religioun in places nixt adjacent to the bounds where the said masse is used, for apprehending the masse-sayers, and also the hearers, to underly the law. Likewise, incace this present divisioun take some agreement and concord, that none be comprehended therin but suche as sall be oblished for maintenance of religioun against the enemeis therof. Attoure, that all persons that have (since the reformatioun beganne) sought for the Pop's bulls or benefices, be holdin as Papists, and punished therefore, conforme to the acts of parliament; and that all professors of religioun having benefices, and able to preache, may be charged to doe their offices, seing it is not reasonable that they tak up the living, and remaine idle.

"Thridlie, For resisting of Papists of forraine countreis, als weill within as without, that my lord regent's Grace and nobilitie sall take suche order, that a league and confederacie be made with our nighbours of England, and other countreis reformed, and professing the true religioun, that we and they be joyned together in mutuall amitie and societie to support everie one another, wheresoever time and occasioun sall serve, for mainteaning religioun, and resisting the enemeis therof. Lykewise, that a solemne band and acts may be made by all them that be professors of the true

religioun within this realme, to joyne themselves together, and be readie at all occasiouns for resisting the enemeis foresaid. And if anie sall be found negligent, he sall be holdin a false brother, and excommunicatioun to proceed against him."

THE DEATH OF THE REGENT.

The Erle of Marr, regent, ended his life, the 29th of October, about three houres in the morning. It was constantlie affirmed, that about the time of his death, the trough of the water of Montrose, where it runneth through his lands, was dry, the water running neverthelesse above. At the same time, a violent wind drave a great number of sheepe from the linkes of Montrose into the sea.

A CONVENTION.

The Erle of Morton and some other lords conveened at Stirline, appointed a conventioun to be holdin in Edinburgh, the 15th of November nixt to come, to tak some order for choosing of a new regent.

MR JAMES LOWSON ADMITTED.

Upon the Lord's day, the nynth of November, Mr James Lowsone was admitted to the ministrie in Edinburgh, by Mr Knox, after he had come from the Tolbuith, where he preached. His voice was so weake that few heard him. He discoursed upon the duetie of a minister, and the duetie of the flocke. He praised God that he had givin them one in his rowme, and desired God to augment his graces in him a thowsand fold above that which he had, if it were his pleasure, and so ended with the blessing.

William Matlane, sometime secretar, sent this letter following to the sessioun of the kirk:—

"It is come to our eares, by credible report, that your minister, Johne Knox, als weill publictlie, in his sermons, as otherwise, hath

slaundered me as an atheist and enemie to all religioun in direct speeches: that I have plainlie spokin in the castell, that there is nather heaven nor hell, and that these are things devised to mak barnes affrayed; with other suche language, tending to the like effect, unworthie to be rehearsed in the hearing of Christian eares. Which words, before God, never at anie time proceeded from my mouth; nor yitt anie other sounding to the like purpose, nor wherof anie suche sentence might be gathered. For, praised be God, I have beene brought up from my youth, and instructed in the feare of God; and to know, that he hath appointed heaven for the habitation of the elect, and hell for the everlasting dwelling-place of the reprobat. Seing he hath thus ungentlie used me, and neglected his duetie, vocatioun, the rule of Christian charitie, and all good order, maliciouslie and untruelie leing on me, I crave redresse therof at your hands: and that yee will take suche order therewith, that he may be compelled to nominat his authors, and prove his alledgance; to the end, that if it be found true, as I am weill assured he sall not be able to verifie it in anie sort, I may worthilie be reputed the man he painteth me out to be. And if (wherof I have no doubt) the contrarie fall out, yee may use him accordinglie: at least, that heerafter yee receave not everie word proceeding from his mouth as oracles; and know that he is but a man subject to vanitie, and manie times doeth utter his owne passioun and other men's inordinat affections, in place of true doctrine. It is convenient that, according to the Scriptures, yee beleeve not everie spirit, but that yee trie the spirits whether they are of God or not.

"WILLIAM MATLANE."

The sessioun of the kirk gave this answere following, upon Thursday, the 20th of November:—

"As for the complaint givin in this day eight dayes before the sessioun of the kirk, by Johne Robertsone, in name of William Matlane, and subscrived with his hand, as he affirmed; the answere being referred to this day, and the sessioun therewith rype-

lie advised, thinketh good, that the complainer authorize the presenter of the supplicatioun with sufficient mandat; and that he dedeigne himself, if he seeke anie benefite of the said kirk, to direct his supplication to the ministers, elders, and deacons now present, admitting them as judges in that caus, as use is. This letter was not read to Mr Knox whill two or three dayes after it was presented."

THE END AND DEATH OF MR KNOX.

Mr Knox was so enfeebled with a host, that upon the 13th of November he left off his ordinarie reading of the Scripture; for everie day he read some chapters of the Old and New Testament, with some Psalmes, which he passed through everie moneth once. Upon Friday the 14th, he arose beside his accustomed dyett, and yitt, when he is risen, could skarse sitt on a stoole. Being demanded what he would doe up? he said, he would goe to the kirk and preache: for he thought it had beene the Lord's day; and said he had beene meditating all night upon the resurrectioun of Christ, which he sould have taught in order, nixt after the death of Christ, which he had finished upon the Lord's day before. Oft and manie times desired he of God, that he might end his dayes in teaching, and meditatioun of that doctrine: and so he did indeid. He desired the elders and deacons to be sent for, that he might take his last good night of them, as he had done before of the people, at the admissioun of Mr James Lowson, at what time he said, he would never enter in that place againe. Upon the Lord's Day, the 16th, he keeped his bed, and would tak no meate, supposing it had beene the first Sabbath of the Fast, till the Laird of Braid, who was sitting at his bedside, called him to remembrance, and caused him eate a little.

Upon Moonday, the 17th, the elders and deacons came to him, to whom he protested he had taught nothing but true and sound doctrine; beating doun, by the threatnings of God's judgements, the proud and stubborne, and raising up and conforting the troubled consciences by the promises of God's merceis: And how severe soever he was against anie man, it was not for hatred of his persoun,

but onlie to beate doun in him his vice, and that in him which rebelled against God, which God would not leave unpunished; and for discharge of his conscience before God; and that he made not merchandice of the Word of God, whose message he boore, and to whom he must mak accompt for the same. In respect wherof, albeit he was a weake and unworthie creature, and a fearefull man, he feared not the faces of men. Therefore, exhorted them to stand constant in the doctrine which they had heard out of his mouth, how unworthie so ever he was; and willed them, never to joyne with wickednesse, specially with the castell of Edinburgh, it remaining in the estat wherin now it is. And albeit they sould triumphe in this world, yitt he besought them never to meddle with that factioun; but rather choose, with David, to flee to the mountaines, than to remaine in the companie of the wicked. And as for that severitie he had used against the Laird of Grange, with whom he had beene so familiar, it was onlie to bring him to acknowledge his shamefull declyning, that thereby he might turne to repentance: and willed Mr David Lindsay, then present, and Mr James Lowsone to signifie to him, that Johne Knox, now going to dee, was the same man that he was before, when he was able of bodie; and to will him to consider his owne estat wherin he now standeth. As for answere to the secretar's bill, he desired all men to consider his, and the works of the rest, which testifeid, that they denied there was anie God, or heaven or hell, wherin vertue sould be rewarded, or vice punished. It was not education that made a true Christian, nor brought a man to the true knowledge and feare of God, but the illuminatioun of the soule by God's Spirit; for who was better brought up than Julian the Apostat, and sindrie others? As for the nomination of the reporters, which the bill required, he refused, howbeit he could verie weill have done it. As for that part of his bill where it is said, he is a "man subject to vanitie," and, "all are not oracles," etc., confessed he was but a most vile creature, and wretched man; yitt the words which he had spokin sould be found als true, as the oracles which have beene uttered by anie of the servants of God before. For he had said nothing but

that wherof he had a warrant out of the Word, to witt, that the justice of God sould never be satisfeid, till the blood of the shedders of innocent blood were shed againe, or God moved them to unfained repentance; and caused them who were present read the 9th Psalme. Farther, he added, that the secretar was the cheefe author of all the trouble raised both in England and Scotland. So, with exhortatioun to them, he commended them to God, who, after prayer, went from him with tears.

After this speeche his infirmitie increassed, for he never spake almost but with great paine. And yitt few came to him to whom he gave not some admonitioun or exhortatioun. Mr David Lindsay reported to diverse, that, at one time when he came to visite him, and asked how he did, he answered, "Weill, brother, I thank God. I have desired all this day to have had you, that I may send you yitt to yon man in the castell, whom, yee know, I have loved so deerelie. Goe, I pray you, and tell him that I have sent you to him yitt once, to warne him; and bid him, in the name of God, leave that evill cause, and give over that castell. If not, he sall be brought doun over the walls of it with shame, and hang against the sunne. So God hath assured me." Mr David thought the message hard, yitt went to the castell, and meeteth first with Sir Robert Melvill walking on the wall, and told him what was his errand; who, as he thought, was much moved with the mater. Therafter he communed with the captan, whom he thought also somewhat moved. But he went frome him in to Secretar Lethington, with whom, when he had conferred a little, he came out to Mr David againe, and said, "Goe, tell Mr Knox he is but a drytting prophet." Mr David returned to Mr Knox, and reported how he had discharged his commission; but that it was not weill accepted of the captan, after he had conferred with the secretar. "Weill," said Mr Knox, "I have beene earnest with my God anent the two men. For the one, I am sorie that so sall befall him, yitt God assureth me that there is mercie for his soule. For the other, I have no warrant that ever he sall be weill." Mr David thought the speeche hard, yitt layed it up in his minde, till Mr Knox was at

rest with God, and found the truth of that which he had spokin, within few dayes after.

Before his sickenesse, he commanded his wife, and his servant, Richard Bannatyne, that when God sould visite him with sicknesse, that he was not able to read himself, that then one of them sould read to him everie day the 17th chapter of the Gospell according to Johne, a chapter of the Epistle to the Ephesians, and the 33d chapter of the Prophecie of Isay; which was done. Few or no houre of the day past wherin somewhat was not read as he would appoint, and sometimes Mr Calvin's sermons in Frenche. Whill they were reading Mr Calvin's sermons upon the Ephesians, when they supposed he had beene sleeping, they asked if he heard? He answered, "I heare, I praise God, and understand farre better;" which words he uttered the last time they demanded, about foure houres before his expyring.

My Lord of Morton, Boyd, and the Laird of Dumlanrig, came to him upon Wednesday the 19th day. What conference was among them was not then knowne. The nixt day the Lord Lindsay and sindrie other gentlemen came to visite him. He exhorted them to continue in the truth, and to have no dealing with the damnable hous of the castell of Edinburgh. The Lord Ruthven, when he came to him, said, "If there be anie thing, Sir, that I am able to doe for you, I pray you charge me with it." He answered, "I care not for all the pleasure and freindship of the world." The Erle of Glencarne visite him often, and so did manie barons and gentlemen. A gentle woman fearing God, desired him to praise God for the good he had done, and beganne as it were to praise him. He said, "Tongue, tongue, ladie; flesh of it self is too proud, and needeth no meanes to esteeme the self." He protested he did onlie clame to the free mercie of God in Christ. He willed her never to puffe up flesh, which of itself was too prone and readie to doe the same, without anie other provocatioun. He exhorted her to humilitie, and to cast away stinking pride, and called to her remembrance what a woman had said to her long ago: "Ladie, ladie, the blacke oxe hath never tramped upon your foote."

Upon the Lord's Day, the 23d, which was the first Sabboth of the fast, in time of after noon's sermon, none being present but suche as did awaite upon him, after he had lyin a long space verie quiet, as they thought, he sayeth, "If anie be present, let them come, and see the work of God,"—for he thought to have departed then, as they judged. His servant Richard sent for Johne Johnston. He burst forth in these words: "I have beene in meditation these two last nights upon the troubled kirk of God, despised of the world, but precious in his sight; and have called to God for it, and commended it to Christ, her head. I have beene fighting against Satan, who is ever readie to assault. I have foughtin against spirituall wickednesses, and have prevailed. I have beene in heaven, where presentlie I am, and tasted of the heavenlie joyes." Therafter he said the Lord's Prayer, and the Beleefe, with a paraphrase upon everie petitioun and article. When he was saying, "Our Father which art in heaven," he sayeth, "Who can pronounce so holie words," &c. Manie came to visite him after sermoun. Some perceaving his breath to be shortenned, asked if he had anie paine. He answered, "I have no more paine than he that is now in heaven; and am content, if it please God, to ly heere seven yeeres." He said often, "Live in Christ, and lett never flesh feare death." When he would be lying, as was supposed, asleepe, he was at his meditations, and would burst furth in these speeches, or the like, "Lord, grant true pastors to thy kirk, that puritie of doctrine may be reteaned. Restore peace again to this commoun wealth, with godlie rulers and magistrats. Lord, mak an end of troubles. Lord, I commend soule and bodie unto thy hands." That night, Doctour Preston came to him about nyne houres, and asked how he did. He answered, "I have beene tempted by Satan; and when he perceaved he could not prevaile, he tempted me to trust and rejoice in my self, and to boast. But I repulsed him with this sentence, '*Quid habes quod non accepisti?*'"

Upon Moonday, the 24th of November, he rose about nyne or tenne houres, and yitt was not able to stand by himself; put on his hose and his doublett, and satt in a chaire the space of halfe an houre,

and the [redacted]gaine. Being asked by the good-man of Kinzeancle[redacted] if he had anie paine, he answered, "No great paine, but suche as, I trust, sall putt end to this battell;"—and said to him, "I must leave the care of my wife and childrein to you, to whom you must be a husband in my rowme." After noone he caused his wife read the 15th chapter of the First Epistle to the Corinthians; and when it was ended, he said, "Is not that a comfortable chapter?" A little after, he sayeth, "I commend my soule, spirit, and bodie, (pointing up his three fingers,) into thy hands, O Lord." About fivehoures he sayeth to his wife, "Goe, read where I cast my first anker:" and so, she read the 17th chapter of the Gospell according to Johne, and, after that, some sermons of Mr Calvin's upon the Ephesians. About halfe houre to tenne, they went to the ordinar prayer, which being ended, Doctor Preston said unto him, "Sir, heard yee the prayer?" He answered, "I would to God that yee and all men heard them as I heard: I praise God for that heavenlie sound." Then Robert Campbell of Kinzeancleuche sitteth doun before him on a stoole, and incontinent he sayeth, "Now, it is come!"—for he had givin a long sigh and sob. Then said Richard Bannatyne to him, "Now, Sir, the time yee have long called to God for, to witt, an end of your battell, is come; and seing all naturall powers faile, give us some signe that yee remember upon the comfortable promises which yee have oft shewed unto us." He lifted up his one hand, and incontinent therafter randered his spirit, about elleven houres at night.

After this maner departed this man of God, the light and confort of our kirk, a mirrour of godlinesse, a paterne to ministers for holie life, soundnesse in doctrine, and boldnesse in reproving vice. He had a mightie spirit of judgement and wisdome. The trouble never came to the kirk, after his entrie in publict preaching, but he foresaw the end therof. Manie things in particular did he foretell which came to passe, as I have specified before in their owne places. I adde, how he foretold the queene, becaus she would not come and heare the Word, that she sould be compelled to heare it, nill she, would she: and so she was, at her arraignement. *Item*, To her hus-

band sitting in the king's seate in the Gre[illegible]," "Have yee, for the pleasure of that dame, cast the Psal[illegible]oke in the fire? the Lord sall strike both head and taile." Mr Thomas Smeton, in the descriptioun of his life and death, sheweth that the death of the good regent, the Erle of Murrey, (whom he calleth "*ornamentum et lumen hujus nationis, quo nullus unquam extitit aut religionis observantior, aut amantior æqui,*" the ornament and light of this natioun, none better affected to religioun and equitie,) made a deepe impression in his heart; but the massacre of Parise did almost exanimat him; and giveth him this commendation: "*De quo ut vere et ingenue dicam, nescio an unquam Deus magis pium, aut majus ingenium in fragili et imbecillo corpore collocâvit:*" I know not if ever God placed in a fraile and weake little bodie a more godlie and greater spirit. Beza calleth him "The Apostle of the Scots," and comprehendeth all his praises in few words, when he calleth him (in his *Icones*) "GREAT Master Knox." Before he came furth of Sanct Andrewes, at what time he made his latter will and testament, he wrote these words following:—

"Johne Knox with deliberat minde to his God.

"Lord Jesus, receave my spirit, and putt an end, at thy good pleasure, to this my miserable life, for justice and truthe are not to be found among the sonnes of men. Be mercifull to me, O Lord, and call not into judgement my manifold sinnes, and cheefelie these wherof the world is not able to accuse me, in youth, midd age, and now, after manie battells. I find nothing into me but vanitie and corruptioun; for in quietnesse I am negligent, in trouble impatient, tending to desperation, and in the midd estat I am so caried away with vaine phantaseis, that, alas! O Lord, they withdraw me from the presence of thy majestie. Pride and ambitioun assault me on the one part, covetousnesse and malice trouble me on the other. Breeflie, O Lord, the affections of the flesh doe almost suppresse the operatiouns of thy Spirit. I tak thee, O Lord, who onlie knoweth the secreets of (the) heart, to record, that in none of the foresaid I doe delite; but that with them I am troubled, and that

sore ag[redacted] my owne inward man, which sobbeth for my corrupt[redacted]and would repose in thy mercie alone, the which I clame, and that in the promise which thou hath made to all penitent sinners, (of which number I professe myself to be one,) and in the obedience and death of my onlie Saviour, our Lord Jesus Christ, in whom, by thy meere grace, I doubt not my self to be elected to salvatioun, wherof thou hath givin unto me (unto me, O Lord, most wretched and unthankfull creature) most assured signes. For being drowned in ignorance, thou hath givin me knowledge above the commoun sort of my brethrein. My tongue hath thy Majestie used to sett furth thy glorie, to oppugne idolatrie, errours, and false doctrine. Thou hath compelled me to forespeeke als weill deliverance to the afflicted, as destructioun to certan inobedient, the performance wherof, not I alone, but the blind world hath alreadie seene. But above all, O Lord, thou by the power of thy Holie Spirit hath sealed into my heart remissioun of my sinnes, which I acknowledge and confesse my self to have receaved by the precious blood of Jesus Christ once shed, by whose perfyte obedience I am assured my manifold rebellions are defaced, my greevous sinnes purged, and my soule made the tabernacle of thy godlie majestie; thou, O Father of merceis, thy Sonne, our Lord Jesus, my onlie Saviour, Mediator, and Advocat, and thy Holie Spirit remaining in the same, by true faith, which is the onlie victorie which overcometh the world. To thee, therefore, O Lord, I recommend my spirit; for I thrist to be dissolved fronne this bodie of sinne, and I am assured that I sall rise again in glorie, howsoever it be that the wicked for a time sall trode me and others thy servants under their feete. Be mercifull, O Lord, to thy kirk within this realme: continue with it the light of thy Evangell, augment the number of true preachers; and lett thy mercifull providence look upon my desolat bedfellow, the fruict of her bosome, and my two deere childrein, Nathanael and Eleazer. Now, Lord, putt end to my miserie."

THE LAST WILL AND WORDS OF JOHNE KNOX, MINISTER OF THE HOLIE EVANGELL OF JESUS CHRIST; PUTT IN ORDER AT SANCT ANDREWES, THE 13TH OF MAY, 1572.

"Lord Jesus, I commend my troubled spirit in thy protection and defence, and thy troubled kirk to thy mercie.

"Becaus I have had to doe with diverse personages of the ministrie, wherinto God of his mercie erected me within this realme, my duetie craveth, that I sall leave unto them now a testimonie of my minde.

"And, first, to the Papists, and to the unthankfull world I say, that although my life hath beene unto them odious, and that often times they have sought my destructioun, and the destructioun of the kirk, which God of his great mercie planted within this realme, and hath always preserved and keeped the same from their cruell enterprises, yitt to them I am compelled to say, that, unlesse they speedilie repent, my departing off this life sall be to them the greatest calamitie that ever yitt hath apprehended them. Some small appearance they may yitt have in my life, if they had grace to see. A dead man I have beene now almost thir two yeeres bypast; and yitt, I would that they sould rypelie consider in what better estate they and their maters stand, than they have done before, and they have heard of long time before threatned. But becaus they will not admitt me for admonisher, I give them over to the judgement of Him who knoweth the hearts of all, and will disclose the secreits therof in due time. And this farre to the Papists.

"To the faithfull. Before God, before his Sonne, Jesus Christ, and before his holie angels, I protest, that God by my mouth (be I never so abject) hath shewed to you his truthe in all simplicitie. None I have corrupted, none I have defrauded, merchandice I have not made (to God's glorie I writ) of the glorious Evangell of Jesus Christ: but according to the measure of grace granted unto me, I have divided the sermoun of truthe in just parts, beating doun the rebellioun of the proud, in all that did declare their

rebellioun against God, according as God in his law giveth to me yitt testimonie; and raising up the consciences troubled with the knowledge of their sinne, by declaring of Jesus Christ, the strenth of his death, and the mightie operation of his resurrectioun, in the hearts of the faithfull. Of this, I say, I have a testimonie this day in my conscience before God, how that ever the world rage. Be constant, therefore, in the doctrine which once publictlie yee have professed. Lett not thir scandalous dayes draw you away from Jesus Christ, nather lett the prosperitie of the wicked move you to follow it nor them. For howsoever it be that God appeareth to neglect his owne for a seasoun, yitt his majestie remaineth a just God, who nather can nor will justifie the wicked. I am not ignorant that manie would that I sould enter in particular determinatioun of thir present troubles; to whom I plainlie and simplie answere, that as I never exceeded the bounds of God's Scriptures, so will I not doe in this part, by God's grace. But heerof I am assured, by Him who nather can deceave nor be deceaved, that the Castell of Edinburgh, in which all the murther, all the trouble, and the whole destructioun of this poore commounwealth was invented, and as our owne eyes may witnesse, by them and their mainteaners, were putt in executioun, sall come to destructioun, mainteane it whoso list; the destructioun, I say, of bodie and soule, except they repent. I looke not to the momentarie prosperitie of the wicked, yea, although they sould remaine conquerours till the comming of our Lord Jesus. But I looke to this sentence, that whosoever sheddeth innocent blood defileth the land, and provoketh God's wrathe against himself and the land, untill his blood be shed again by order of law, to satisfie God's anger. This is not the first time that yee have heard this sentence, although manie at all times have stirred at suche severitie. I yitt affirme the same, being readie to enter to give an accompt before his Majestie of the stewardship that he committed to me. I know in my death the rumors sall be strange. But be yee not troubled above measure, beloved in the Lord Jesus; but yitt again, I say, remaine constant in the truthe,

and He who of his mercie sent me, conducted me, and prospered the worke in my hand against Satan, will provide for you abundantlie, when ather my blood sall water the doctrine taught by me, or He of his mercie otherwise provide to putt end to this my battell."

MR KNOX BURIED.

Upon Wednesday after, he was buried, being convoyed by the Erle of Morton, regent, and lords who were in the toun for the time. When he was layed in the grave, the Erle of Morton uttered thir words:—"Here lyeth a man who, in his life, never feared the face of man: who hath beene often threatned with dag and dager, but yitt hath ended his dayes in peace and honour. For he had God's providence watching over him in a speciall maner, when his verie life was sought." It was his custome to sitt at table, in his owne house, at the head of it, with his backe to the window. Yitt upon a certan night he satt at a side of the table, when a bullet was shott in at the window, of purpose to kill him. But the conspirators missed, and the bullet lighted upon the chandler, and made a hole in the foote of it, which is yitt to be seene.

THE ERLE OF MORTON, REGENT.

The same day that Mr Knox departed, that is, the 24th day of November, the Erle of Morton was chosin regent. Johne Brand made the exhortatioun in the morning upon the first chapter of the Booke of Judges. After noone, the whole nobilitie, barons, prelats, and commissioners of burrowes, to the number of an hundreth and fourteene, went to the Counsell-hous, where Johne Brand made again another breefe exhortatioun, wherin he informed them how they sould carie themselves in the electioun of the person.

A bill was sent by the Erle of Atholl and Lord Gray, to desire the electioun to be stayed for the present, and siclyke from Grange to that same effect. They thought if the assemblie were dissolved it sould not easilie conveene again. This was perceaved; and, therefore, they concluded all in one voice, that it sall not be delayed. Then Alexander Hay produced the forme and order observed in the electioun of the last regent, wherin was declared, that first two or three of these who were present sould be putt in list, becaus they must sweare and give oath to accept the charge, whosoever was to be chosin. The Erle of Morton and Alexander Erle of Glencarne gave their oaths, being putt in the list; the Lord Sempill, Chancellor to this action, asked the votes. The most part voted to James Dowglas, Erle of Morton. He accepted the office, and tooke a solemne oath, conforme to the Act of Parliament; and these who were present gave their oaths of obedience and assistance.

THE ABSTINENCE CONTINUED.

A parliament was appointed to be holdin in Edinburgh, the 15th day of Januar. The abstinence, which was to expire the sixt of December, was continued till the first of Januar.

THE REGENT'S ANSWERE TO LETHINGTON.

In the moneth of December, Lethington sent out of the castell a memorandum, to be showed to the Lord of Morton, then regent, by the Laird of Carmichaell, to which he answered as followeth:

"I have seene a memour in writt of William Matlan's, sent to my servant, the young Laird of Carmichaell, to show unto me, wherby I am desired to call to my remembrance the freindship of old betuixt me and the said William. In it also is conteaned a rehearsall of his good offices done unto me, and of my alledged evill usage of him latelie; bearing, in end, his intention for releefe of conscience, that the evill causes sould be removed, that the better

effects heerafter may follow; seeming the more carefull, becaus of the extreme point he taketh me to be at, and opinioun, that I sall enlaike of my present disease; and that he is likelie, ere it be long, to stand his freinds in steid, and be an evill nighbour to his enemeis; and that his kindnesse will be worth the purchassing. Wherunto I have thought good thus shortlie to answere, for my owne lischarge of the things objected, and that, by my silence, the maters writtin sould not be farther credited nor the truthe is.

"How farre the indispositioun of his persoun impedeth him from travell, himself best knoweth. For my owne part, I thanke my God of his visitatioun, and am not out of hope shortlie to have that habilitie which sall content my self, and serve me to discharge my duetie, so long as God's pleasure is I live.

"It is true, and I deny not, but there hath beene freindship betuixt us, which, as it decayed not in my default, so, during the continuance therof, it was profitable for us both; and his travells were no more valuable for me, but my freindship stood him in als good stead, weyghing how unable he had beene to anderly their inimitie that then bare him evill will, if I had not susteaned his querrells, and declared myself partie, to his adversareis, which drew me to the spending of geir which otherwise might have done great things. The chancellarie I had not by his onlie labours, but even my Lord of Murrey (whom now being deid, he would make my competitor) was therin my freind and furtherer. Nather was William Matlane the cheefe instrument of purchassing the securitie of the houses of Angus and Morton, as he would have men to thinke: but therin I had the freindship and furtherance of my said Lord of Murrey, whose travells in the mater of Morton was some part in respect of his brother, the Laird of Lochlevin's interesse, being placed nixt in the tailzie; and I gave the queen a thowsand crownes in a purse, for confirmatioun of Angus. For other good turnes, if they were speciallie noted, I were able to answere them. If he had not thought my kindnesse and good will worth that which he was able to doe for me, I doubt not but he would have both sought and takin geir and recompence at my hands. If he refused what was offered,

the default was not in me. If the alteratioun of this freindship proceeded from anie my actioun, and simplie from that which tuiched my self in particular, I were the more blame-worthie. But of that I refere the judgement to God, and all that sall judge indifferentlie in the world.

"Toward his forfaulture,—when it sall be considered who then had the government, for what caus the forfalture past, I thinke they will not esteeme me the cheefe procurer, solister, and setter fordward therof. For the Erle of Lennox, then regent, having the administration of justice in his hands, and the caus being the murther of the king his sonne, it might be weill thought little procuratioun or solistatioun needed. That I knew him innocent in my conscience as my self, the contrare therof is true; for I was, and am innocent therof, but could not affirme the same of him, considering what I understand in that mater of his owne confessioun to my self of before. For that writting, that he was the lesse beholdin to me, indeid, I thought, after inimitie in his owne default declared, I was not debt-bound to shew him farther good will. But like as his travell tended to the overthrow of the king's estate, and consequentlie to my wracke, and the noble men and others who by him were brought in the actioun, so was it no mervell that I wished him to be made unable to annoy us: for I judged it meetter that men of good service and habilitie sould be rather gratified with his possessiouns, the better to beare out their charges in our commoun caus, nor that which was his sould be suffered to come to his owne use, to mainteane the warre against us.

"A greater caus on his part could not be, to move me to change my freindship, nor, when I found him directlie entered in actioun, not onlie of intelligence with the queene, but to overthrow that estat wherof before himself had beene a cheef instrument, and in defence of which, by his perswasiouns, I had drawin all my name that could not have escaped wracke if we had once slipped our ground, which I alwise esteemed to be true and honest, and in that respect could never like of it he calleth his good advice. For, as it was vaine for him to thinke that he could deserve more particular

evill will at her hands nor he had alreadie, so was it great presumption to intend by himself that universall reconciliation; and his doing was not without evident suspicioun and danger to them with whom he was joyned in commoun caus.

"If I enlaike, I thanke God that they whom I ought to care for are not destitute of freinds, but are als able to doe a good turne for another to their nighbours, as his successioun. And I see not what greater assurance he hath of his owne life nor I have of myne. Whatsoever place he sall atteane to, I wishe his doings may stand in better stead to himself, his freinds, and his countrie, nor his late actions have declared. For his nighbourheid, such as he will professe inimitie unto must beare it as they may. If the memorie both of his kindnesse and unkindlie behaviour sould be placed in our charter-kists, I thinke the last sould exceed the first. And whether I enlaike or not, I wishe he may consider his offence to God, the king, the noblemen, and others with whom he was joyned in this commoun caus, and that the losses in this troubled countrie, wherof he hath beene the occasioun, may be repaired. And how soone he sall give demonstration of his minde to the repairing therof, none sall be better content, that the memorie of the bypast evill desert be forgott, and he and his restored to that which sometime was his owne."

A BREEFE DECLARATION HOW MATERS HAVE PROCEEDED DURING THE ABSTINENCE, WHICH EXPIRETH THE LAST OF DECEMBER, AND UPON WHAT OCCASION THE WARRE WAS RENUED. PRINTED AT EDINBURGH BY THOMAS BASSANDINE.

"Forsameekle as after the long civill dissensioun and unnaturall warre continued within and about this toun of Edinburgh, by reasoun and occasioun of the treasounable surprising and fortificatioun therof, (abstinence and assurance then standing,) through the defectioun of him to whom the custodie of the Castell of Edinburgh to our soveran lord's behove was committed; at last an absti-

ing the said prorogatioun: As also, for certan noblemen of either partie, who sould conveene the said last day of October, in peaceable maner, to proceed in suche maner and forme as betwixt the parteis conveening sould be agreed upon.

"And farther, it was speciallie accorded and promised by them of the castell, that all melting, forging, printing, or labouring of coine, within or without the same, by anie of their partie, of their command and allowance, sould utterlie cease and be left off, whill the said sixt day of December. But as the last heed was manifestlie contraveened, so was nothing in effect of the other points observed. Onlie some (as directed from them) came to Sanct Johnstoun after the appointed day, howbeit nather of the number of the nobilitie, nor yitt suche as seemed to have sufficient commissioun and instructiouns deepelie and substantiouslie to deale in the maters that were to be intreatted: So as the secund two moneths likewise overpast, without anie intentioun of peace appearing in them of the castell, speciallie in that wrong and injurie which themselves had done, and which consisted in their owne power to amend, as was for forging, printing, and outputting of the said adulterated and corrupt money, they themselves having promised of their honours, and by their solemne oaths, that the same sould utterlie ceasse, and be left off, as said is. And albeit thereby it might be weill perceaved that no sincere meaning of peace was in them, yitt, at the motioun of the queen's Majestie of England her ambassaders, our soveran lord's present regent was content, as before, that the abstinence sould be further prorogated untill the first day of Januar instant, upon some hope that yitt they of the said castell sould have come, in the meane time, to some reasonable and tolerable conditiouns. But that time, in effect, also over-passing, without demonstration of anie suche good-will or intentioun of peace to rest in them, about the end of the prorogatioun the ambassader, according to the directioun and commandement of the queen's Majestie his soverane, willing to doe all good offices that might induce to pacificatioun, he having conferred with them of the castell latelie, moved the said lord regent for a further prorogatioun

nence and cessatioun from hostilitie was agreed unto, beginning at the penult day of Julie last by past, to indure for the space of two moneths therafter, within which time it was accorded that the nobilitie and estats of the realme sould be assembled, by their meanes to establishe a good and generall peace: And that so holie a worke sould not be retarded, that during the truce and abstinence, two, three, foure, or five men, or fewer, of either partie, might communicat together in all suretie, to open up the meanes for the more facile atteaning unto a good peace: And that the same abstinence and pacificatioun which sould follow therupon in no wise sould tuiche the king, our soverane lord, or his estat, to the prejudice therof: Yitt, during these two moneths, not onlie was the assemblie of the nobilitie for the part of the adversareis neglected and overpast, and his Highness' late regent, the Erle of Marr, of good memorie, at his comming to Edinburgh, (as place agreed upon for the purpose,) frustrated and disappointed, but als his Majestie's coine was daylie counterfooted and adulterated within the Castell of Edinburgh, and givin out as lawfull money among his Highnesse' liege people; a mater expreslie tending to the violatioun of the abstinence, in so farre as the counterfooting of his Majestie's money directlie tuiched his Highnesse and his estat, to the prejudice therof; and was also a deid against honestie, and the lawes of all natiouns. And albeit thereby just occasioun was then givin to have revenged that disdaine and that injurie, notwithstanding, suche earnest and true good will was in the regent, and in the nobilitie professing the king's obedience, towards pacificatioun, for the universall commoditie of the realme, (the queen's Majestie of England her ambassaders earnestlie therewithall travelling,) that a prorogatioun of the former abstinence was granted for the space of two moneths, beginning the 8th day of October, to endure till the 6th day of December last, and writtings were subscrived and interchanged therupon, in which, nominatioun was made of certan persons, for triell, and according, upon the redresse of the attemptats, on either side, committed since the former abstinence, and that sould happin to be committed and compleanned upon dur-

of the abstinence, to which motioun he was not difficill or contrarious; but after some speeches past at diverse times betwixt him and the ambassader, tuiching that purpose, agreed to the prorogatioun, upon conditioun that the mater sould be putt to suche a point as there sould be some likliehood of a peace to follow; and, for the furtherance of the same, was desirous that the ambassader sould know of them in the castell, for whom they dealt, and upon what warrant; that they would nominat certane persons of authoritie, credit, and judgment, for their partie, to meete with others of like qualitie, for treatting and according upon maters in controversie; as also, to trie and cognosce the violations of the former abstinence, and incace of their discord, that the difference might be submitted to the decision of some indifferent od personage, and suretie made for performance of that which sould be determined: that the printing yrons might be putt in the ambassader's hands, as indifferent, and the coiners removed out of the castell, upon suretie to be harmelesse: that the prisoners might be sett at libertie, speciallie the Maister of Forbesse, upon band, not of suche as the Erle of Huntlie hath heretofore nominated, seing some of them could not be perswaded to be oblished, upon feare conceaved, if they had so done, to be therefore wracked and undone; but that a band under the paine of ten thowsand punds might be receaved of others, sufficient and responsall noblemen and barons that sould be worth an hundreth thowsand punds: that they of the castell sould content themselves with suche daylie and ordinarie provisioun as conyenientlie and reasonablie might susteane them and their number during the abstinence; and forbeare to tak in anie suche great quantitie of victuals, stuffe, and other furniture, as might confirme the suspicion conceaved of their intentioun to continue the warre, and provide the castell for a yeere or two; with assurance of the regent's minde to condescend to the abstinence, on thir conditiouns.

"The ambassader past to the castell upon Wednesday, the last day of December, and having made declaratioun of the same, they of the castell taking advantage of the last heed, tuiching the pro-

vision and victualling of the hous, answered, that they could not be content in that point to be controlled; and except the same were first past without conditioun, they would make no answere, nor enter in further reasouning upon the remanent heeds, no wise willing, in the said provisioun and victualling, to admitt anie kinde of restraint or limitation. It was said by them of the castell in privat speech to the ambassader, that he of whom they could like of to be the od personage was the King of France. Thus, ungiving reasoun or answere to the remanent, but taking advantage of the last point, as is before said, they have declared their obstinat presumptioun above the bounds of reasoun and measure, as unwilling of anie good and tolerable peace, but rather desirous that the realme sall continue in civill warre and dissensioun, which by their onlie occasioun is renewed, and of which they may be justlie compted the verie authors, seing nothing ather unreasonable or impossible was of them demanded: for the conditions onlie tended to certan dealing, and furtherance of the pacificatioun and quietnesse, as, no doubt, all honest and indifferent men will judge. And considering therewith all, that there was good caus to doubt, whether the duke and the Erle of Huntlie, with others heretofore of their partie, would allow the dealing of them in the castell, which by their owne deid, speciallie in making and out-putting of the said adulterated and corrupt money, had not only controveened their owne obligatioun, but had hazarded the faith and promise of the noblemen of that partie, for whom they would doe what they could in things which were to be performed by the noblemen of their partie. Indeid, reasoun and good order craved (the conditioun of them in the castell considered) that they had moderated themselves with suche measure and appointment as the noblemen of their partie could have beene content to enter in, rather nor the noblemen be subject to follow the fortune of them in the castell, to whom no mediatioun is tolerable, nor anie advice beside their owne thought worthie. But their conclusioun is, as may weill appeare, to mak their advantage of the trouble, and to continue the warre by themselves, and strangers whom they have procured,

(although they sould be destituted of all other factioun and fellowship in Scotland,) without feare of God, or zeale that his glorie, and true religioun, (wherof themselves shew them sometimes professors,) sould remaine among us; against their faith and allegiance, sworne and promised to the king's Majestie, our soveran lord, (in erectioun and constitutioun of whose authoritie themselves were cheef instruments;) and without compassioun of the present calamitie of this their native countrie, which by their occasioun is thus plagued and unquietted. It may, also, cleerelie appeare, that without submissioun of the differences to some indifferent od personages, incace of discord, there was no intention of peace in them of the castell, but evident prejudice and disadvantage to the king, his regent, nobilitie, and good subjects, who by delay and uncertantie behoved still to be burthenned with the sumptuous charges of the susteaning men of warre, as heeretofore they have beene, since the first abstinence was accorded unto, without likelihood of the end of the warre; where otherwise, if the differences had beene thus remitted to the decisioun and judgement of some an indifferent personage, and suretie made for performance of the determinatioun, it had beene in effect a present peace to the greatest part of the realme, and suche charges of men of warre had not needed, seing all men would have looked to the end of the decisioun, wherin the King of France, in reasoun, could not be thought meetest to be judge, in respect of his farre distance, and misknowledge of the circumstances of the Scotish controverseis, which require speedie and summar decisioun. It is also certan, that the principals of both parteis contending avow the professioun of the true religioun, and, therefore, the rather sould be judged in the caus of their controversie by some personage professing the same true religioun. And as to the last point, tuiching the provisioun of victualling of the castell, under pretext wherof they of the castell have rejected the remanent, it may appeare, if reasoun could have satisfied them, there was occasion in that heed to lett the warre breake up, seing alreadie, in five moneths' space, they have beene permitted sufficientlie to victuall themselves. It was not meant

nor spokin, that they sould be drivin to spend anie part of their lyand provisioun, during the abstinence; but, without impediment, to tak in suche quantitie of all kinde of victualls as, from day to day, might sufficientlie susteane the number they interteanned. Indeed, it seemeth no wise to tend to peace, but highlie to the disadvantage of the king, that during a short abstinence, without certantie of peace to follow, they sould be permitted to tak in anie great quantitie of new provisiouns of wine, powder, bullet, and munitions, or to have forrane intelligence, by which they might the more facillie draw in strangers, to the destructioun of religioun, the king, and all the whole commoun weale, as their continuall travells heeretofore have tended unto.

"And, therefore, seing by their obstinacie all honest and equitable conditiouns were rejected, and the warre renewed, my lord regent's Grace, with advice of the Lords of Secreit Counsell, hath thought good to give publict declaratioun therof, that none upon ignorance judge otherwise of the cause of renewing of the trouble nor the truthe is; but that being certified of the veritie, they may be the rather induced to assist, with counsell and with force, in resisting and repressing the treasonable rebellioun and unnaturall crueltie, used and intended by them within the said Castell of Edinburgh, so as the realme being releeved of the present mischeefes and inconveniences continuing by their occasioun, justice and policie may proceed, to the honour of God, our soverane lord's obedience, and commoun weale of the whole realme."

M.D.LXXIII.

THE ABSTINENCE EXPIRED.

The abstinence being expired the first of Januar, at six houres in the morning, the captan of the castell warned all men to tak heed to themselves, by a shott of a peece out of the castell. Therafter, trenches were cast about the castell, where need required, and souldiours placed, to stop all ish and entrie.

A PARLIAMENT.

In the parliament holdin in Januar, the Erle of Morton's regencie was confirmed. It was ordeanned, that the lawfull archbishops, bishops, superintendents, and commissioners of diocesis and provinces, by themselves, and the ministers and readers serving at the kirks respective, note the names of the persons, als weill men as weomen, suspected to be Papists, or that have not participated of the sacraments, as they were then truelie ministred in the reformed kirk of this realme; and with like diligence lawfullie admonishe them according to the order of the kirk.

Item, That the Papists relapse, and non-communicants remaining obstinat, sall be holdin, reputed, and esteemed infamous, and unable to sitt or stand in judgement, persue or beare office, nor sall not be admitted as privat witnesses or assessors against anie professing the true religioun, ay and whill they have reconciled themselves to the true kirk, submitting themselves to the discipline therof, and obteane testimoniall therupon.

Item, That all ecclesiasticall persons, ministers, or others, who bruike benefices, fruicts, stipend, pensioun, or portioun furth of benefices, sall subscrive the articles of religioun in the acts of our soverane lord's parliament.

The act made before, tuiching the true and holie kirk, and suche as are declared not to be of the same kirk, was ratified.

A BILL OR COMPLAINT CONVOYED IN AND LAYED UPON THE BOORD, BEFORE THE LORDS OF THE ARTICLES AT THE PARLIAMENT, AND READ IN THEIR PRESENCE.

"As most honourable and godlie interprises are ever subject to most danger and perell, so, when your lordships that are heere assembled tooke the interprise of the revenge of the king's murther, (an actioun most necessar to be undertakin,) for avoiding of the plague of God, that useth plentifullie to be poured furth upon that

countrie where the murther remaineth unpunished, of the poorest that passeth through the way, lett be of princes; for expiatioun of the which, what diligence is commanded by the mouth of God to the faithfull people of God in his booke, is more than notour. As also, for the honour of your native countrie and natioun, which was abominable to all other natiouns, for the causes and occasions of the same murther, that your poore merchants might not travell in other parts, for the hatred of the name of Scotish men, conceaved upon the bruit of that foule fact.

"And yitt how difficill that ever the mater was, (as there was no little difficultie,) the executer of the murther being growne in that favour with the prince of this realme, the king's mother, I meane, who, as she had consented to the doing of the murther, so she premiated and rewarded him, as it had beene for the best act that he could have wrought, with the soveraintie of herself, her realme, and lieges, by taking of him to her husband, and creating him Duke of Orkney, for no other caus, but that, at her desire, he had beene burrio and shamefull murtherer to that nobleman; and as it were, to inarme him with force, with power, with freindship, and with strenth of man against God, the true revenger of suche wickednesse. Whereby they laiked not counsell and device to make force not onlie to resist whosoever would revenge, but to persue, root out, and destroy all suche as feared God within this realme, that no instrument sould be left to unquiett their devilish and damnable securitie.

"At which time, it pleased God, in the middest of her forces and strenth, to make her stoup and yeeld herself to your honours, the executer of the murther taking the crime upon him, and fleeing away, as he that feared to receave the reward of his sinne. At which time, your honours drest her, by honest moyen, to yeeld to our soverane lord the crowne of this realme, so deere bought by him, as by the cruell death of his deere father; and to establishe the administration of this realme in his tender age in the person of certan noblemen successivelie, of whom some part are takin to the mercie of God, and other part are yitt alive; at whose godlie governement, partlie by her aiding out of waird that she was de-

puted to, partlie by other occasiouns and inconveniences as occurred, suche as the death and untymous taking away of my Lord of Murrey, first regent, it is a wonder how some of the partners of the murther and counsellers therto have spurned to reject and abolishe the same, moved likelie, and in a part, by a desire to hold this countrie in a perpetuall trouble, that therethrough they might have an impunitie of the enorme faults that their cankered consciences dyte them to be guiltie therof; as also, on the other part, by the trouble of your native countrie, and civill warre, (that they helpe to suffocat therin,) to spend the most part and best amongst your honours, that they may heerafter gett promoted; suche as mister rather a tutele of others, than to have charge above others, of whom they may have the governement, and consequentlie of this miserable and unfortunate countrie.

"In the which, my lords, your honours sould consider, by suche men's proceedings in times past, what their meaning may be now, and in time to come, if yee sall receave them among you, speciallie Mr James Balfour and his brethrein, and not give them the remedie of their deserving. In the which it will please your honours to call to minde their former fidelitie at all times, their proceedings thir foure yeeres by gane, their constancie in nothing but all kinde of evill, both toward your honours and their native countrie. What moved them, after the recent benefite done unto them by the dispositioun of the Erle Bothwel's escheate, the promoting of the said Sir James in the office of the president in the seate, and others great benefites done by my said Lord Murrey, then regent, to him, (of the which your honours are not yitt out of remembrance;) at my said lord's being in England for defence of this good caus, without my lord's (that said is) knowledge, and no wise to his commoditie, to enter in conference with the queene, the king's mother, then at Boltoun, and be so familiar with her at that time, that no Scotish man in Scotland receaved more missives from her than the said Sir James? What moved him and his marrowes to enter in league with the Duke of Norfolke, unwitting of the said lord regent, for promoting of the said duke to the supremacie of the realmes of

England and Scotland, subversioun of the true religioun, and exterminion of your honours, and all that professed God and the truthe in both the realmes? Who also, at my good lord regent the Erle of Murrey's taking away, was so bussie to procure that great seditioun and intestine trouble, which since that time hath continued in this realme, and hath consumed so manie and able noblemen, and others, that in time of forrane warres with valientnesse would have done great honour to their native countrie, which beganne at the counsell commounlie called the Meale Mercat, wherunto he was cheefe counseller? A mutation strange to behold, and of the which the ambassader for the queen's Majestie of England, for the time in thir parts, Mr Randulph by name, reproving the said Sir James, reported no other answere nor reasoun of the samine, nor *Tempora mutantur, et nos mutamur in illis.* Which was als muche in meaning as he could stand content nather with governement nor authoritie in this countrie, but that which made for him: and yitt, whenever he saw time, he could wag as the busse wagged, and tak the way which might make him advancement, howbeit that the same were to the destruction of all honest and godlie men, and of his native countrie also. What moved him, bearing office of counseller and president of the seate of the Colledge of Justice of our soverane lord, to passe to Linlithquo, and there make to be proclamed that all men sould obey the queene; and at that time to come out in most warlike maner, with carted ordinance, to the bridge of Evan, to stoppe the one half of your honours to meete with the other, for conference of maters to the weale of this poore commoun weale? Who was the setter fordward of that tratorous proclamation of a parliament to be holdin at Linlithquo, the 2d of August nixt therafter, for deprivation of our soverane lord and his authoritie royall; or who moved him therto? Who cried out faster, that your honours were all English tratours, for the revenge takin by the support of England upon the Hammiltons; for which caus afterward, they led a great part of processe against your honours of forfalture, in their pretended parliament? What conqueist meant they to make upon the king's Highnesse, and his obe-

dient subjects of Mernes, Angus, and Fife, being in the north, in the Erle of Huntlie's companie, and consulting him to manne the place of Brechin, and steeple therof, and be sure of Broughtie? Yea, what warre and trouble thought they to have brought in the bowells of Fife, and, finallie, in thir parts, at that time, if God had not inspired your Honours' hearts to cutt that their interprise, and make it for nought; which journey held off that great trouble that they thought to have begunne, at the inputting of the corne, to the Aprile nixt therafter, in this countrie? Who was the great counseller of the taking of Sanct Giles steeple and kirk? Who beganne the taking up of men of warre? Who beganne the holding and fortifeing of the toun of Edinburgh, in contrare the king and his regents; and to make that noble toun, which was the onlie patron of justice, policie, and good discipline in the religioun of this realme, another Liddisdaill; yea, who was proveist therto, for the time; and who was made captan of that divelish band, called the Chimney Band? Who fenced that tratorous parliament for annulling of the king's highnesse' authoritie? Who dyted thir words, and commanded the clerks to write them, '*In the parliament of our Soverane Ladie?*' Who forefaulted principallie all your Honours? Who was of the counsell to send his brother to the parliament at Stirline, where all your Honours' lives were most cruellie sought, and my good Lord Lennox, regent, with manie other noble gentlemen, were most tratorouslie slaine? Who, after that, caused hang innocent Charles Dowglas, and others true and faithfull servants to our soverane lord? Who pulled and spoiled the whole goods and geir of them that, for the zeale of God and favour of our soverane lord, left their houses, goods, geir, and livings, within the toun, and came to Leith, to expone their lives to danger and perrell at all times for the king's service? Who most cheefelie pulled doun, razed, and villanouslie cast doun houses, biggings, and policie, the ornaments of this toun and countrie likewise, and that, for despite that suche men whose houses they destroyed would not be, like to them, tratours to their native countrie and soverane king? Who at all skirmishes, and other times of pursute of the king and his faithfull subjects, hounded out with strokes, and other suche inter-

teanement, all the poore folke in the toun, that they had holdin in before hungering, to come contrare our soverane lord and his regent, the old preest's depositioun at his death, who was hanged for comming against our soverane lord and his said regent, upon the Tuisday, can sufficientlie testifie.

"What needeth moe words? No tongue can expresse the wickednesse of that man and his brother, and the hurt that they have procured to the king and his true subjects, which is so notorious to all your Honours, that probatioun there needeth none; for yee have beene hearing and seeing witnesses to the most part of all the foresaids. Wherefore, my lords, look weill what yee doe, before yee receave them in among you, or consent that my lord regent's Grace, who will use your Honours' counsell, grant them anie pardoun. Consider, first, the qualitie of the men, that, since the time they were condemned to the gallowes, never could be of quiett minde, but ever desperatlie procuring seditioun, lyke as their whole life and conversatioun will beare record. Nixt, they are but precursors and forerunners to all that devilish factioun that hath wasted this countrie, to whom yee can no wise denie the favour and pardoun which yee sall grant them, who are lesse guiltie and faulters than they. Also, yee sall have them (without the whole masse come into obedience) suche as they were in my lord regent my Lord of Murrey's dayes, to the queene and hers. *Item*, It is said, when they have gottin their purse full again, yee sall have them proceeding to their accustomed fashioun and dealing; and there is no securitie that can be devised, that can make men sure of suche persons. As also, if your Honours sall consent to their remissiouns, your Honours sall procure the greatest skaith to this countrie that ever came: for the youth sall be thereby moved to thinke treasoun, oppressioun, murther, and suche other odious crimes as these men have committed, no faults; nor, with the feare of justice, sall no wise be moved to leave off the committing of the same, but ever hope for impunitie, as they see thir men gett; which sall be the greatest skaith that ever came to this commoun wealth. Secundlie, It sall be judged by all natiouns that sall heare of your proceedings in this part, that it was not the murther of the king that yee

have sought, when as yee sall shaike hands with the principall counsellers therof: but your owne promotioun, to the hurt and destructioun of your owne native countrie. Thridlie, How can yee hold up your faces, if God sall fortoun you to live till the king, our soverane, come to perfectioun of yeeres? or what answere can yée give him, when yee have unquietted this his countrie so long with warre, by fire, sword, and slaughter of his subjects? For if yee will say, It was for revenge of the murther, it will be said, That meant yee never, for yee have lettin live the principall doers and counsellers therof. Wherefore your self, or your posteritie, may receave such punishment as disturbers of a commoun wealth, and wrackers of your native countrie, merite. Fourthlie, It is to be supposed, that God remaineth that self same God that he hath beene hitherto, who, by his ministers, exhorted the Lord of Murrey, then regent, to tak away the evill from this countrie, and punishe the authors of the murther. Without that, he would have that answere givin him by God, that was givin to Achab by the servant of God, when he said unto him, 'Becaus thou hath lett him goe, whom the Lord appointed to death, behold, thy life for his life, and thy people for his people.' The admonition being contemned by him, (alas! for pitie,) what followed theron, judge yee, my lords. What now the Lord is able to doe to your bodeis and houses that abide behind, if yee sall committ the like fault, and oversee, at this present, thir wicked men, ordeanned by God to be punished to death for their abominable deeds that no tongue can expresse, I committ to your judgements."—What answere this bill gott I read not.

THE ABSTINENCE CONTINUED WITH THE HAMMILTONS.

The commissioners appointed for the king and his regent, and on the other side for the Hammiltons and Huntlie, were to meet at Sanct Johnstoun, for some order to be takin for the quietnesse and peace of the countrie: for, albeit the abstinence was givin up with them of the castell, it continued betuixt the regent, the Hammiltons, and Huntlie, till the 16th of Februar.

THE CASTELL OF BLACKNESSE TAKIN.

Notwithstanding of sindrie scrolls givin in against Sir James Balfoure, wherin were discovered his treasonable dealings in times bypast, yitt was he takin in protectioun by the regent. He advertised the regent, that Mr James Kirkaldie was come out of France to Blacknesse, with gold to the rebels; and how he had disswaded him to goe to the north, becaus Huntlie would have takin it to himself, at least the most part of it, and give to them within the castell what he pleased. Least Sir James, or the captan, Alexander Stewart, sould be suspected, the regent was desired to send and take it, as it were, by force. The regent sent a band of men of warre, and Carmichaell, with fourtie hors, to ly about the hous, to withhold victuals. The Hammiltons sent Captan Bruce, with tenne or twelve souldiours, who were takin by Carmichael, but sett free again incontinent, becaus, as was suspected, he was privie to the plot. After they had lyin about the castle tenne or twelve dayes for a shew, it was randered upon conditions, to witt, the said Alexander sould continue captan, delivering his eldest sonne in pledge, as he had done before to the rebels within the castell; and that all bygone offences sould be remitted, and some recompence givin to him. So, about the end of Januar, he came in to Edinburgh, with all the gold that Mr James had gottin from their confederats in France, viz. twelve or fyfteene thowsand frankes. Mr James, finding himself deceaved, corrupted the souldiours in his absence, giving to some foure, others five, others six or tenne crowns a peece. So Mr James became captan, and, when Alexander returned, enclosed him and his brother, Mr Johne, in a lockefast chamber. Alexander again intised five or six of the souldiours to sett him at libertie. Whill some of them were convoying Mr James his wife to the gates, others within closed the yron gate; others went to the wall-head, and cried upon Captan Lambie and his band lying neere by; others cast doun stones at Mr James in the closse. Captan Lambie cometh in; Mr James is takin and brought to Edinburgh, the elleventh of Februare.

GRANGE BURNETH SOME HOUSES IN EDINBURGH.

None might walke safelie on the streets of Edinburgh for shootting out of the castell. Upon Thursday, the 12th of Februare, betuixt eight and nyne at night, the captan of the castell sallied out, and sett on fire one or two thacke houses before the Castell Wynd, at what time there was a vehement wind. It past from hous to hous, till, by the providence of God, it stayed at Foster's Wynde, notwithstanding of the shootting out of the castell. Beside the houses and moveables that were burnt with the fire, muche was stollin by souldiours, after it was brought furth to the streets to be saved. If the trenches and crosse guarde had beene weill keeped, the captan had not undertakin suche an interprise. He thought to have drivin the regent and all the inhabitants out of the toun that night.

THE ARTICLES OF PACIFICATION CONCLUDED AT PERTH.

The commissioners of both parteis mett at Sanct Johnstoun, and, after treatie, concluded as followeth:—

"At Perth, the thrid of Februar, 1573 yeeres; the noble and mightie lords underwrittin, Archibald Erle of Argile, Chanceller and Justice-Generall of this realme, Johne Erle of Montrose, Lord Grahame, William Lord Ruthven, Treasurer to our soverane lord, Robert Lord Boyd, Robert Commendatar of Dumfermline, his Highness' Secretar, and Sir Johne Bellendine of Auchinoull, Knight, Clerk of his Majestie's Justiciarie, commissioners for his Highnesse, to the effect underwrittin, speciallie constituted on the one part; and George Erle of Huntlie, Lord Gordoun and Bazenoch, for himself, his kin, freinds, and partakers now properlie depending upon him, and Lord Johne Hammiltoun, Commendatar of the Abbey of Arbrothe, for himself, and taking the burthein on him for Lord Claud Hammiltoun his brother, and all other the kin, freinds, servants, and partakers depending upon the duke's Grace

of Chatterault, their father, and hous of Hammilton, on the other part, being conveened, for treating upon removing of the present troubles and civill warres within this realme, so long continuing therin, to the displeasure of God, the decay and danger of his true religioun, the hurt and prejudice of our soveran lord's authoritie royall, and to the confusioun of the lawes, policie, and whole estat of the commoun wealth: Having heerinto, by most earnest motioun and solistatioun of the queen's Majestie of England, the neerest princesse of the world to his Highnesse, both by blood and habitatioun, made in her Highnesse' behalfe, by the Right Worshipfull Mr Henrie Killigrew, Esquire, her Highnesse' ambassader, after mature deliberatioun and advisement to the pleasure of Almightie God, who is the God of peace, the increasse and suretie of the state of true religioun, and of the royall person of our soveran lord, and quiet peace and quietnesse of the realme, have conveened, accorded, and concluded as after followeth:—

"First, That all and whatsomever persons that sall clame to anie benefite of this present pacificatioun, and of our soveran lord's favour and pardoun to be granted, sall acknowledge, affirme, and confesse the confessioun of Christian faith, and true religioun of Jesus Christ, now publictlie preached and professed within this realme, established and authorized by lawes and acts of parliament, in the first yeere of our soveran lord's raigne; and sall, at the uttermost of their powers, mainteane, fortifie, and assist the true preachers of the Word of God, against whatsomever enemies or gainstanders of the same; and namelie against suche of whatsoever natioun, estat, or degree they be of, that have joynned or bound themselves, or have assisted, or assist to sett fordward and execute the cruell decrees of the Counsell of Trent; which most injuriouslie is called, by the adversaries of God's truthe, the Holie League, contrare the preachers and true professors of the Word of God.

"That the Erle of Huntlie, and Lord Johne Hammiltoun, for themselves and others above specified, now submitting themselves to his Highnesse' obedience and governement of James Erle of Morton and Lord of Dalkeith, present regent to his Majestie, his realme,

and lieges, and other regents to be lawfullie constituted during his Highnesse' minoritie, for themselves, their heyres and successors presentlie, and in all time comming, recognosce his Highnesse' authoritie and regiment forsaid, and acknowledge them to be his debtbound subjects, by their acts and subscriptions; and suche of them as have vote in parliament to give their assent thereto.

"They graunt and confesse, that all things done or assisted in name and colour of other authoritie nor of our soveran lord's, since his Highnesse' coronatioun, against anie that professe his Majestie's obedience for the time, by anie of them, have beene unlawfull, and is of no force, weight, nor effect, and sall have no executioun for anie time bygane or to come.

"That it sall be statuted and ordeanned by an act of parliament, that none of the subjects of this realme sall, directlie or indirectlie, by themselves, nather assist, fortifie, supplee, or shew favour to anie of the subjects of the realme, or strangers, that sall privilie practise or openlie intend anie treasonable fact, uproar, or hostilitie against the true religion foresaid, or the persoun of our soveran lord his said present regent, and royall authoritie in time comming, under paine of the law.

"And further, incace anie persons returning, or that sall happin to be receaved to his Highness' obedience, doe in the contrare, and resist not the treasonable facts, uproares, and hostiliteis at the uttermost of their powers, his Majestie's remissioun and pardoun presentlie to be granted, nor no other benefite of this pacificatioun, to serve or to be extended in their favours therafter; but they to be pursued and punished for their offence bypast, as if no remission, pardoun, or pacification, had beene granted to them therefore.

"That all persons professing his Highnesse' obedience, dispossessed during the troubles, sall be repossessed in their houses, livings, benefices, lands, tacks, rents, and corns, goods movable, now extant in the possessioun of the first intrometters, except horse and armour. And for executioun, if need be, and repossessioun of the persons dispossessed of houses, that our soveran lord's letters be directed by the said regent within six dayes after the charge, under

the paines of treasoun and horning. And for livings, that letters of the foure formes be directed by the Lords of Counsell and Sessioun, summarlie, without calling.

"That the hous of Spynie sall be delivered to our soveran lord, and his regent forsaid, when it sall be required, upon fyfteene dayes' warning: that the Master of Forbesse, James Glen of the Barr, and his sonnes, and other prisoners, be presentlie (with all possible diligence after the publication of this present pacification) sett at libertie: that the Lord Sempill and his band, and all other bands made for entrie of prisoners, or bands and promises for payment of ransoum in anie time bygane, preceeding the date heerof, be free and discharged, by vertue of the present pacificatioun.

"That all things promised by abstinence sall be performed; and all things to the contrare therof sall be restored, redressed, repaired, and accorded to the simple avail, at the sight and judgement of Johne Erle of Montrose, Lord Grahame, and Sir Johne Wishart of Pitarrow, Knight, conjunctlie, for all acts which are committed against the said abstinence, be-north the Water of Tay; and they to sitt in the burgh of Perth; and Robert Lord Boyd, Mark, Commendatar of Newbottle, and Sir Johne Bellendine of Auchinoull, Knight, conjunctlie, for all attemptats committed against the said abstinence, that is, be-south the Water of Tay; and they to sitt in the toun of Edinburgh, without anie limitatioun of time, in respect of non-publicatioun of the said abstinence at certane places, saving discretioun, as they sall trie, *ex æquo et bono;* and they sall decerne within a yeere after the intending and persuing of the actioun: and compulsators sall be directed at the instance of either of the saids parteis, by the Lords of the Sessioun, otherwise for compelling of the saids judges to decerne within the saids space. And if the parteis skaithed, intend and pursue not within yeere and day after the publicatioun of this pacificatioun present, that they tyne their actioun for anie thing excepted against them since the according of the said abstinence, and no wise to be heard to persue therafter before other judges, in anie time to come. And incace the said judges, or anie of them, inlaike, and accept not, that

others, by agreement, be putt in their places; and that alwise, no other judges have power to cognosce, or decide the saids maters.

"That the said Erle of Huntlie, and Lord John Hammiltoun, sall presentlie breake and discharge their men of warre, so that they may remaine at their owne dwellings.

"And forsameekle as for the better assurance of the persons now returning to our soveran lord's obedience, and observatioun of the conditions above specified, pledges have beene required of them all, als weill cautioners as soverteis, to be bound with themselves for their debtfull obedience in times comming, the said Erle Huntlie and Lord Johne Hammilton, at the sute and requeist of the queen's Majestie of England's ambassader foresaid, restored them in the will and discretioun of the said lord regent: And towards the entrie and deliverie of the saids pledges, are always content to find the saids cautioners and soverteis bound with themselves, under paines, as the said lord regent sall reasonablie prescrive.

"In respect of the which conditiouns agreed unto, and of the suretie to be made for performance therof, it is accorded, for the suretie of the persons now returning to our soveran lord's obedience, upon weightie and good considerationns, tending to the furthering and establishing of the peace, and quietnesse, and universall obedience to be made to his Highnesse' authoritie, and for their due obedience to be made and observed by them in all time comming; that by act of parliament it sall be declared and decerned, that the processes and soverteis past, of doomes of forfaltour, als weill in parliament as before in justice courts, as also all hornings and penalties following therupon, which have been led and deduced against George Erle of Huntlie, Lord Johne Hammiltoun of Arbrothe, Claud Hammiltoun, Commendatar of Pasley, William Bishop of Aberdeene, Alexander Bishop of Galloway, Adam Gordoun of Auchindoun, Alexander Hammiltoun of Goslintoun, Knight, Johne Hammiltoun of Stennoes, Alexander Hammiltoun of Innerweeke, George Barclay of that Ilk, James Hammilton of Ruickbanke, James Hammiltoun of Woodhall, Johne Hammiltoun of Drany, Gawin Hammilton of Roploch, Robert

Hammiltoun of Garne, and Johne Hammiltoun, his brother, Mr Johne Hammiltoun of Milkesland, Alexander Hammiltoun of Lekprevick, Robert Hammiltoun, younger of Daserf, Mr Archibald Hammiltoun, his brother, Alexander Hammiltoun of Netherfeild, Johne Hammiltoun of Culrosse, Arthure Hammiltoun of Myrrinton, James Hammiltoun of Marktoun Maynes, Johne Hammiltoun in Burnebra, Archibald and Andrew Hammiltons, brother sonnes to Andrew of Cochno, Thomas Hammiltoun of Preestfeild, James Hammiltoun of Sprawston, James Mureheid of Lawehop, Alexander Bailzie of Titlegill, William Bailzie of Tormeston, James Glen of the Barr, William Glen, his sonne, before his justice, or his deputs, or his regents, or lords of privie counsell, for anie crimes done in the commoun caus, contrare his Highnesse or his authoritie, or anie depending therupon, since the fyfteenthe day of Junie, in the yeere of God 1567 yeeres; or for anie other causes conteaned in the summons, saising, processe, sentence, or doome foresaid, led against them since the fyfteenthe day of Junie, in the yeere foresaid; sall have no executioun, but be voide, and of no valuc, strenth, force, nor effect, in all time comming, without anie processe of speciall reductioun, or other declaratioun to follow therupon: and that the said Act of Parliament sall be als valuable in all respects, as if the saids processes, sentences, and doomes of forfaltour, hornings and penalteis following therupon, were reduced orderlie upon the summouns, all parteis having intresse being called: And that this present article sall extend to all other persons forfaulted, properlie comprehended under this present pacificatioun, that they also sall have his Hienesse' licence and favour to reduce their forfaltour, for suche reasonable causes as they can libell.

"And towards the escheats of the movable goods of these who were forfaulted for anie crime committed in the commoun caus, or depending therupon, or for anie other causes and crimes conteaned in the said summouns, saisings, processes, sentences or doomes forsaids, led against anie therupon, the samine sall remaine within themselves, providing alwise, that all goods movable, and debts in-

trometted with and uptakin, wherupon decreet was obteaned by vertue of escheat in time bygane, before the according of the abstinence, upon the penult day of Julie last bypast, sall remaine to the donators of the samine, and intrometters therewith. And, in like maner, all paines and unlawes resting awand, untakin up, and not intrometted with, for non-entrie of the saids persons, or anie of them, to underly the law; or for non-recompence before the Lords of Secreit Counsell and regent in times bygane, to be simplie discharged by vertue of the said act.

"*Item*, By the Act of Parliament it sall be declared, that all suche persons now returning to the king's obedience, or that have returned thereto, during the troubles past, which by forfaltour, acts, or decreits of the privie counsell or sessioun, for crimes committed in the said commoun caus or barratrie, since the first fyfteene day of Junie, in the yeere of God 1567 yeeres, have beene dispossessed of their lands and heritages, benefices, pensions of benefices, heretable offices, honours, tacks, steedings, possessions of lands, or tithes and livings whatsomever, sall be restored effectuouslie to the possessioun therof, rehabilitat to their bloods and honours, and injoy the samine, als sure as they did at anie time heeretofore, and as if the troubles bypast had never happened, notwithstanding of anie processe or sentence past by doome of forfalture, ather in the parliament, or before the justice and his deputs, at particular dyets in justice convict, or any other hornings and penalteis following therupon whatsomever, proceeding upon the said commoun caus. And for executioun heerof, and repossessing of the persons dispossessed of houses, that our soveran lord's letters be directed by the regent within six dayes, under the paines of treasoun and horning. And for livings, that letters be directed in the foure formes, by the Lords of Session summarlie, without calling of the persons craving to be repossessed; alwise first making their obedience by their oaths and subscriptions, and find caution, as said is.

"*Item*, As tuiching the article requiring that an act sall passe in parliament, declaring the saids persons to be freelie remitted and discharged for all actiouns, crimes, treasouns, transgressions,

and offences whatsomever, committed by them or anie of them in time bygane in the said commoun caus, or anie things depending therupon since the fyfteene day of Junie forsaid, 1567 yeeres, against whatsomever persons being in the contrare, professing another authoritie for the time, (incest, witchecraft, and thift excepted,) the samine article is agreed and condescended unto, saving in so farre as may extend to the murthers of the umquhile Erle of Murrey, uncle, and umquhile Erle of Lennox, goodshir, late regents to his Hienesse' realme and lieges; which are maters of suche weight and importance, as the said lord regent can not conveniently, of himself, remitt them. Yitt, in respect of the present pacificatioun, it is accorded, that the mater of remissioun of the saids murthers, being moved by the persons craving the said remissioun to the queen's Majestie of England, being, as is before said, princesse neerest to our soveran lord, both by blood and habitatioun, in what forme she sall devise and consult, tuiching the remissioun of the saids murthers, the said lord regent, with consent of parliament, for the weale of our soveran lord, and for the universall quietnesse of the whole realme, sall performe, observe, and fulfill the samine. Which remissioun, in forme of an Act of Parliament subscrived by the Clerk of Register, sall be als good and sufficient to the saids persons, and ilk one of them, as if remissioun were past to them in speciall, under the great seale: or they sall have the samine remissioun in due forme, as best pleaseth them: and if anie of them desire remissioun for anie crime preceeding the 15th day of Junie, in the yeer of God 1567 yeeres, the persons and crimes being notifeid, the murther of the king, our soverane lord his father, and all other murthers, fire-raising, thift, recept of thift, incest, witchcraft, allenerlie excepted.

"*Item*, All suche civill processes past during the troubles, since the said 15th day of Junie, in the yeere of God 1567 yeeres, wherewith the saids persons, or anie of them, find themselves greeved or injured, sall be renewed by the judges and ordinars, givers of the decreits; and the parteis, upon their supplicatiouns, sall be heard, to propone anie lawfull defence which they might

have used the time of the deductioun of the processe; or if they might alledge anie nullitie to have been in the deductioun, providing that the persons alledging themselves greeved or injured, intend and execute their saids precepts or supplications for that caus, within six moneths after the date heerof: and in the meane time, all executioun to ceasse, upon citatioun or consignatioun, at the discretioun of the judges.

"*Item*, As for the fruicts, movable goods, ather perteaning to his Highness or to his subjects, which the saids persons now returning to the king's obedience have takin from persons professing his Highness' obedience, or domages or skaithes done or committed by them since the said 15th day of Junie, 1567 yeeres, preceeding the according to the abstinence upon the penult day of Julie last bypast, through the said commoun caus, or anie thing depending therupon, against the parteis with whom they then stood in controversie and debate; becaus the maters were of suche weight, it is accorded, that the samine being moved to the queen's Majestie of England, whatsoever she sall advise or consult theranent, the said lord regent sall performe, fulfill, and observe the samine, with consent of parliament.

"The rents, fewes, fermes, and maiks of the lands of Pittindreigh, and thrids of Duffus in Murrey, being a part of our soveran lord's propertie, intrometted with, and uptakin by the said Erle of Huntlie, or anie in his name in time bygane, are, by vertue of this pacificatioun, freelie remitted and discharged. And, as tuiching the rents of the thrids of benefices, commoun kirks, or frier lands, likewise intrometted with, and uptakin by the said Erle of Huntlie, and Lord Johne Hammiltoun, or anie in their names during the trouble, the said lord regent sall make sute to the kirk at the General Assemblie therof, for procuring suche a discharge of the same rents as may be had, the said Erle of Huntlie doing the like; speciall declaratioun being made by the said erle and Lord Johne, what is takin up, and intrometted with in their names.

"That all men comprehended in this pacificatioun, after publicatioun therof, be indifferentlie receaved and embraced, as the re-

manent of our soverane lord's free leiges, over all parts of this realme; and that nothing done, or which hath occured during the troubles in the said commoun caus, or anie thing depending therupon, be compted a deedlie feed in judgement, nor be anie exceptioun against judge, partie, or assise, or otherwise.

"That the heyres and successours of persons forfaulted, properlie comprehended under this pacificatioun, and now departed out of this life, be restored, rehabilitat, and made lawfull to enter, by breeves, to their lands and possessiouns, and exerce all lawfull deeds in judgement and out of judgement, notwithstanding the forfaulture led against their fathers and predecessors, and as if they had died at our soverane lord's faith and peace; and, speciallie, Johne Archbishop of Sanct Andrewes, Gawin, Commendatare of Kilwinning, Andrew Hammiltoun of Cochno, Johne Hammiltoun, his sonne, and Captan James Cullen; and the Act of Parliament to passe therupon.

"That the captans of men of warre underwrittin, with the members of their companie, sall be comprehended in this present pacificatioun; and also, the whole souldiours and men of warre which served under their charges, or attempted deeds of hostilitie, and crimes committed during the troubles, and before the said last day of Julie bypast, being alwise subject to answere to all things done since the abstinence was accorded unto, as the remanent subjects of the realme. They are to say, Captan Bruce, Johne Hammilton of Kilbowie, his lieutenant, Johne Robsone in Braidwoodside, his ensigne-bearer, Captan Thomas Ker, James Arbuthnet, his lieutenant, Thomas Dawling, ensigne-bearer, Gilbert Wauchop, Matthew Aikman, his lieutenant, and Corporall Jonat, his ensigne-bearer, Robert Crawfurd, called Gantelett, and James Oliphant. And the articles and conditions before specifeid sall be further executed, if need be, in suche forme as may serve for the suretie of the persons now returning to our soveran lord's obedience, the substance not being altered; and that it be amplie interpreted and extended to the favours of the forenamed persons now returned to our soverane lord's obedience, for the sufficient suretie of their

lives, lands, livings, pensiouns, benefices, honours, and goods movable and unmovable, whatsomever danger or calamitie anie wise may tend to their hurt or prejudice.

"Be it alwise understood, that this present pacificatioun, nor anie benefite of the samine, extendeth not to anie person presentlie absent and furth of the realme, or to anie persons speciallie excepted in the first abstinence, accorded unto the penult day of Julie last bypast. In which whole articles and conditiouns of this present pacificatioun, accorded unto in maner and forme as is above specifeid, our soverane lord's commissioners, as also the other noblemen above specified, solemnlie promised and sware the true intentioun and faithful performance and observatioun of the same in times comming, in presence of the queene's Majestie of England's ambassader forsaid: And in faith and witnessing of the samine, have subscrived these presents with their hands; and his Highness' commissioners have delivered to the said Erle of Huntlie, and Commendatar of Arbroth, their remissioun, under the great seale. And the said commendatar promiseth, on his honour, that the Lord Claud Hammilton, his brother, sall approve and subscrive also the articles and conditions of the pacification above specified.

"Moreover, it is accorded, that no horning for payment of the thrids, executed against the persons now returning to the king's obedience during the troubles, be valuable; but this pacification to be als sufficient relaxatioun as if they were speciallie relaxed, without prejudice, to execute the charges and denunciatioun of letters past by decreets of deliverance of the Lords of Sessioun of new. And this article to extend to all hornings executed for anie thing done in the said commoun caus, or depending therupon, or for not compeering before the regent and Lords of Privie Counsell. *Sic subscribitur:*—

"Argile.	Ruthven.	Bellendine.
Montrose.	Boyd.	Dumfermline."

THE TWENTIE-SIXT GENERALL ASSEMBLIE.

The Generall Assemblie conveened at Edinburgh, in the Counsell-hous, the 6th day of Marche, 1573. David Fergusone was chosin Moderator. The Superintendent of Angus was compleaned upon, for not making exhortation at the beginning of this Assemblie, according to the order. He excused himself, with the ordinar sermoun made in the kirk immediatlie before.

THE TRIELL OF BISHOPS, SUPERINTENDENTS, AND COMMISSIONERS.

In the triell of bishops, superintendents, and commissioners, the Bishop of Sanct Andrewes was compleaned upon, for admitting a Popish preest, called Sir Johne Forret, to minister the sacrament of baptisme in Swintoun, in the Merce, to whom the Superintendent of Lothiane had before givin certan injunctions, which he had not yitt fulfilled. *Item*, That he had not visited the kirks within the bounds of Fife this halfe yeere bygane, and had not preached since he was a bishop. He answered, that he preached in everie kirk where he did visite by himself, but might not visite since the last Assemblie, by reasoun of his sicknesse: that he admitted not the forsaid preest to minister the sacrament of baptisme, till he had recanted all kinde of Poprie, in the kirk of Sanct Andrewes. The Assemblie injoyned the Popish preest to repaire to the Superintendent of Lothiane, to receave his injunctions: and, in the meane time, discharged him to exerce anie functioun in the kirk.

Mr George Hay, Commissioner of Aberdeen, was compleaned upon, that he had one benefice in the north, another in the south, and was also commissioner to plant kirks. He answered, he served the cure in the north by himself, and had provided another to serve in the south. As to the commissionerie, he was content to dimitt it presentlie, if the Assemblie think it good.

Mr Johne Row, Commissioner of Galloway, was compleaned

upon, that he had pluralitie of benefices. *Item*, That he solemnized the band of matrimonie betwixt the Maister of Crawfurd and the Lord Drummond's daughter, without proclaiming of bannes, and out of due time, viz., upon a Thursday afternoone at prayers. To the first, he answered, that he had two vicarages, but reapeth no profite of them; and withall, desired to be disburthenned of the commissionarie of Galloway. To the secund, he answered, he did nothing but at commandement of the sessioun of the kirk, and of my Lord Ruthven in speciall, one of the elders of the said kirk. The Assemblie ordeaned the act made against ministers that solemnize mariages betwixt parteis of other parishes, without proclaming of bannes, to have effect and strenth, against Mr Johne Row, for solemnizing of the foresaid mariage; and to underly the samine, during the Assemblie's will. In the sixt sessioun, the Assemblie ordeaned the Superintendent of Stratherne to passe to Sanct Johnstoun, and tak order with Mr Johne Row, and the sessioun of that kirk, for solemnizing of the mariage betwixt the Maister of Crawfurd and the Lord Drummond's daughter, and to report the order he sall tak therin to the nixt Assemblie.

In the same sessioun, the Assemblie, for certan causes moving them, discharged Alexander, called Bishop of Galloway, to exerce anie functioun within the kirk till they be further advised, and ordeaneth Mr Johne Row, Commissioner of Galloway, to summoun the said Alexander to compeere before the nixt General Assemblie, to answere to suche things as sall be layed to his charge.

In the seventh sessioun, Johne Areskine of Dun, knight, Superintendent of Angus and Mernes, protested, that in respect the whole diocie of Sanct Andrewes is decerned by the Assemblie to perteane to the Bishop, that he be no more burthenned with anie visitatioun in these bounds perteaning to the said bishoprick; and in like maner, within the bounds perteaning to the bishoprick of Dunkelden, how soone anie bishop sall be provided thereto.

Mr Johne Spotswood, Superintendent of Lothiane, protested for the like. The Assemblie referred both these protestations to the

commissioners appointed to confer with my lord regent's Grace and Secreit Counsell, to confer with them upon these also; and what they doe heerin, to report to the nixt Assemblie.

COMMISSIONS.

Commissioun and power was givin to Johne Bishop of Sanct Andrewes, Johne Areskine of Dun, knight, Superintendent of Angus and Mernes, Mr Johne Wynrame, Superintendent of Stratherne, Mr Robert Pont, one of the Senators of the Colledge of Justice, and minister, Mr Johne Row, Mr David Lindsay, Robert Fairlie of Braid, Adam Foullerton, one of the commissioners of Edinburgh, to concurre with my lord regent's Grace and counsell, or with so manie as his Grace sall appoint, to reason with them upon suche heads and articles as sall be propouned by my lord regent's Grace and counsell, or by the Assemblie to his Grace; and to conclude therupon, according to the instructions givin to them by the Assemblie, and to report their conclusions before the end of this Assemblie. In the secund sessioun, the Assemblie appointed the Superintendent of Stratherne, Mr Robert Pont, Mr Johne Row, Johne Johnston, one of the commissioners of Edinburgh, to penne the articles which are to be presented to my lord regent's Grace and Secreit Counsell, etc., that therafter they may be read, etc. In the seventh sessioun it was ordeanned, that the commissioners alreadie appointed to confer with my lord regent's Grace and Secreit Counsell sall continue in their commission; and power also was granted to them to confer with the Lords of Articles at parliament, if anie sall be holdin before the nixt Assemblie; and to report then the heeds concluded upon by them, to the end they may be insert in the register among the rest of the acts.

Item, To choose a collector for the province of Aberdeene, with advice of the ministers of the said province, which advice the Assemblie ordeaneth the saids ministers to send to the forsaid commissioners, before the 24th day of Aprile nixt to come. The Assemblie appointed the Bishop of Sanct Andrewes, the Superintend-

ents of Angus, Lothiane, and Stratherne, Mr Johne Row, Commissioner of Galloway, Mr Andrew Hay, Commissioner of the West, Mr George Hay, Commissioner of Aberdeen, Mr David Lindsay, Commissioner of Kyle, Carict, Cunninghame, Mr Donald Monro, Commissioner of Rosse, to conveene at what time my lord regent's Grace sall appoint, to heare the collector's compts with the rest of the lords at the exchecker; allow and approve, or disallow, according to their wisdom, and as their conscience sall move them; and after the said compts sall be made, to subscrive the samine, conforme to the order takin, etc.

Full power and commission was givin to the ministers, elders, and deacons of the kirk of Sanct Andrewes, to tak cognitioun, decide, and conclude upon the rest of Robert Scot his complaints upon the Superintendent of Stratherne, *vocatis ad hæc quorum interest;* and to report their proceedings to the nixt Assemblie. As for the other part of his complaint, the Assemblie had found, that the superintendent had done wrong to the said Robert, in refusing letters testimonialls, conforme to my lord regent's Grace his presentation to the vicarage of Stramiglo, and not addmitting him to be reader at the said kirk, conforme to the presentatioun. Becaus my lord regent was desirous to see the acts of the Generall Assemblie, that he might consider how manie of them be perpetuall, how manie temporarie, the Assemblie appointed the Superintendent of Lothiane, Mr Robert Pont, Mr David Lindsay, Mr James Lowsone, Johne Brand, ministers, nnd Mr Clement Littill, advocat, to conveene with my lord regent's Grace and Secreit Counsell to that effect.

COMMISSIONERS CONTINUED.

The Assemblie, for certan causes moving them, continued Mr George Hay, Mr Donald Monro, Mr Johne Row, Mr Andrew Hay, in the office of commissionarie, to plant kirks till the nixt Generall Assemblie.

RICHARD BANNATYNE'S SUPPLICATION.

Richard Bannatyne, servitour to umquhile Mr Knox, presented the supplication following:—

"Unto your Wisdoms humblie meaneth and sheweth I your servitour, Richard Bannatyne, servant to your umquhile most deerest brother, Mr Knox, of worthie memorie, that where it is not unknowne to your Wisdoms, that he left to the kirk and toun of Edinburgh his Historie, conteaning, in effect, the beginning and progresse of Christ's true religion, now of God's great mercie established in this realme, wherin he hath continnued, and perfytlie ended, at the yeere of God 1564, so that, of things done since that time, nothing by him is putt in that forme and order as he hath done the former: Yitt, notthelesse, there are certan scrolls, papers, and minutes of things left to me by him, to use at my pleasure, wherof a part was writtin and subscrived with his owne hand, and another part by myne, at his command: Which, if they were collected and gathered together, would make sufficient declaratioun of the principall things which occurred since the ending of his former Historie, at the yeere forsaid, and so sould serve for stuffe and mater to anie of understanding and abilitie in that kinde of exercise, that would apply themselves to make an Historie, even to the day of his death. But, forasmuche as the said scrolls are so intacked and mixed together, that if they sould come to anie hands not used nor accustomed with the same, as I have beene, sould altogether lose and perish; and seing also, that I am not able, upon my owne costs and expefices, to apply myself, and spend my time to putt them in order, which would consume a very long time, muche lesse am I able to write them, and putt them in register, as they require to be, without your Wisdoms make some provisioun for the same: Wherefore, I most humblie requeist your Wisdoms, that I may have some reasonable pensioun appointed to me by your Wisdoms' discretion, that thereby I may be more able to awaite and attend upon the samine, least that these things done by that servant of God, who was deere to you all, sould perish and decay, which they sall doe indeed, if they

be not putt in register, which I would doe willinglie, if your Wisdoms will provide, as said is: And your Wisdoms' answere," etc.

THE CONTINUATION OF MR KNOX HIS HISTORIE ALLOWED.

By this supplication may evidentlie appeare how untrue it is that is alledged by Mr Spottiswood, Bishop of Sanct Andrewes, that the Chronicle or Historie extant, partlie in writt, and partlie in print, to the middest of the 1564 yeere of God, was not penned by Mr Knox; where as, not onlie the stile and mater, but also his owne privat letters, and this testimonie of his owne servant, doe prove the contrarie; and that he was purposed to continue the same, may appeare by the forsaid supplication, and his scrolls, a part wherof are yitt extant in men's hands, and by letters which past betuixt him and Alexander Hay, for intelligences and materialls to furnish his Historie. The Assemblie appointed some learned men to assist the said Richard to putt the said scrolls and papers in good forme; and allowed to him fourtie punds, to be payed by the collectors of Lothiane, Angus, the West, Galloway, and Murray, of the crop of the yeere 1572, that he might the more easilie wait upon that worke.

ACTS.

Tuiching my lord regent's Grace's desire, craving some learned men of the ministrie to be made Senators of the Colledge of Justice, the Assemblie having at lenth reasouned, whether a minister be able to discharge himself of both vocations, it was concluded by votes that none are able, nor apt to beare the saids two charges: And, therefore, the Assemblie inhibited anie, occupying the calling of the ministrie, to take upon him to be a Senator in the Colledge of Justice, Mr Robert Pont onlie excepted, who is alreadie placed with advice and consent of the kirk.

Becaus sindrie maters were left undone, which might be exped and dispatched, and sindrie maters unresolved, through the un-

tymous comming or departing of superintendents and commissioners to plant kirks, it was ordeanned, that all bishops, superintendents, and commissioners to plant kirks, present themselves in everie Generall Assemblie heerafter, the first day before noone, and remaine till the end of the same, under the paine of losing the halfe of their stipend for a yeere, and to serve, notthelesse of the want of the said portioun.

It was ordeaned, that no collection for the poore be made in time of ministratioun of the Lord's Table, or in time of sermons heerafter, within kirks, but onlie at kirk doores.

It was ordeanned, that all ministers, and others who have receaved benéfices since the reformation, make residence at the kirks where their benefice lyeth, and use their office, according to the tenour of their admissioun. And if anie be found to doe the contrarie, that they be called to particular dyetts, before the superintendents or commissioners of the provinces where these benefices ly, to whom the Assemblie giveth power to depose the saids persons in their visitatiouns, for non-residence. And what everie one of the said superintendents or commissioners happin to doe in the premisses, to report the samine to the nixt Assemblie.

The Assemblie ordeanned everie superintendent and commissioner for planting of kirks to appoint ministers, exhorters, and readers to moe kirks than one, according to the necessitie of the congregations, and raritie of ministers, as the superintendents and commissioners forsaid sall thinke meete and convenient, as they will answere to the complaints of the congregations which heerafter sall have just caus to compleane to the Assemblie.

THE ARTICLES OF THE SYNOD OF LOTHIAN RATIFIED.

The brethrein appointed to decide questiouns, and heare complaints, reported their answers and decisiouns. Certan heeds and articles were presented by the Superintendent of Lothiane, and ministers within his jurisdictioun, penned and subscrived by them, and their synodall conventioun holdin at Edinburgh the 6th day

of October, presented by the said brethrein, were approved and ratifeid by the Assemblie. The tenour followeth:—

"Imprimis, The brethrein of the forsaid conventioun crave, that the copie of the Acts of the Generall Assemblie be givin to everie exercise, to the end that everie minister may have knowledge what order to observe in their proceedings: for it is most certan that, through ignorance of the forsaid acts, manie faults are committed which otherwise would not be done.

"Secundlie, It is craved by the brethrein, that such maters as fall out betuixt the synodall conventiouns and Generall Assembleis be headed and noted to everie exercise twentie dayes before the Generall Assemblie, that the brethrein may be rypelie advised with the samine; wherethrough manie things may be ended, which, through laike of advisement, suffer delay from Assemblie to Assemblie. At the which time it is craved, that the brethrein have their places in voting, and that no brethrein be defrauded therof, that the weightie maters of the kirk be not concluded by a few, as often times they are, without knowledge or consent of the brethrein.

"Thirdly, That suche maters as are referred from the Generall Assemblie to the particular be penned by the superintendent's clerk, and faithfullie reported to the Generall Assemblie by the said superintendent.

"Fourthlie, That the Generall Assemblie may be frequented with the nobilitie and barons, als weill as ministers, that the face of the Assemblie may be had in reverence, as in former times.

"Fyftlie, It is required, that the whole rents, als weill of victualls as of money, within the collectorie of Lothiane, be made knowne to all the brethrein within these bounds; what is receaved therof, and how it is dispouned. And for this purpose, that the brethrein of all parts be chosin at the synodall conventioun, to heare the collector's compts, als weill of the rests of the former collectour, as also since his owne entrie. Also, that the injunctions given to the collector may be read everie synodall convention, and triell tane how they are obeyed; but speciallie concerning the assignatioun of victualls to ministers, upon the kirk's processe,

and that the collector, according to the libertie granted to everie synodall conventioun, may be alone discharged.

"Sixtlie, That the collector's officers charge for repairing of kirks.

"Seventhlie, That all ministers may have assignatioun of their stipends.

"Eightlie, That the extracts of the superintendent's office, registred in the Booke of Discipline, may be givin to the minister of everie province, to the end that the superintendents may be tried thereby; and that, as they are found diligent, to be continued or changed.

"Nyntlie, That the procurators of the kirk may be examined, Why they are so slack and negligent in the kirk maters?

"Tenthlie, That suche ministers as have not wherewith to buy bookes, may have bookes loosed to them by the collector; and to allow the prices therof in their stipends."

QUESTIONS DECIDED.

Questions decided. 1. It is thought reasonable and expedient, that bishops, superintendents, and commissioners, obteane and purchase generall letters, to command all men to frequent preaching and prayers, according to the order receaved in their congregations; and to charge the magistrat to putt the acts, als weill granted by parliament, as freelie condescended upon with uniforme consent of the congregatioun, which concerne the same, in execution.

2. The order to be takin for relapse in adulterie, after repentance, referred to the act of parliament.

3. If a man stay out of the countrie seven yeeres, marie another woman, and his first wife marie in his absence, both are adulterers, unlesse the sentence of divorce hath beene pronounced by the judge.

4. Whether that the names of excommunicats sould be published in all the reformed kirks of the province or diocie where the

excommunicat dwelleth, that none haunt their companie through pretended ignorance, referred to the acts alreadie made.

5. It is nather agreeable to the Word of God, nor to the practise of the primitive kirk, that the administratioun of the Word and Sacraments, and ministration of criminall and civill justice, be so confounded, that one person beare both the charges.

6. If the minister and reader both, making residence at one kirk, have but one gleebe, the superintendent sall tak order, that the minister be eased in speciall.

PAPISTS TO BE URGED TO SUBSCRIVE.

It is ordeaned, that all and sindrie superintendents and commissioners for planting of kirks proceed summarlie to excommunicatioun against all Papists within their provinces; and that within eight dayes after, they be admonished to joyne themselves to the religioun presentlie established within this realme, by hearing of the Word, and partaking of the sacraments; subscrive, and give their oath, conforme to the acts of parliament, and acts agreed upon betwixt my lord regent's Grace, the Secreit Counsell, and the Assemblie.

THE CASTELL OF EDINBURGH RANDERED.

The whole countrie being brought under obedience, the captane of the castell, William Matlane of Lethington, and his brother Mr Johne, Pryour of Coldinghame, the Lord Hume, Sir Robert Melville, the Laird of Restalrig, Pittadrow, stand out. The regent appointed Captan Crawfurd, and Captan Hume, to keepe the trenches. Becaus the captan shott often times great ordinance doun the street, the regent caused make three traverses, one neere to the tolbuith, two above, neerer to the castell, of fail, divvet, and midding, of suche height as tooke away the sight of the street from the castle, and so thick as could not be pierced by cannon. Captan Mitchell was layed with his band at Sanct Cuthbert's kirk, to

stoppe the passage to St Margaret's well, which he made unprofitable within few dayes, partlie by poysonning of it, partlie by invading these who came out of the castell. Since the abstinence expired, there were not above six persons hurt in the trenches; about als manie above the tolbuith. One night, as we have alreadie said, the captan saillied furth, when it was a great wind; skirmished with the regent's souldiours, till he found means to sett some houses on fire. The Castellans continuing in their purpose, the regent procured from the Queen of England assistance to lay siege to the castell. Sir William Drurie, Marishall of Berwick, came with a power of 1500 men to Leith, and joyned with the Scottish nobilitie. The castell was summouned upon the 25th of Aprile. The Laird of Grange was required to rander the castell, with the whole ordinance, artillerie, munitions, jewells, houshold stuffe, and suche other implements within the same, to the said marishall, and to the use of the king, and his regent in his name. If he obeyed, then promised the marishall, in her Majestie's name, that her Highnesse sould travell with the regent, counsell, and nobilitie present, for the safetie of their lives who were within: if he continued in his obstinacie, abiding the cannon, then willed him to look for no farther favour. Grange read the letter of summons, but denyed to surrender the castell; wherupon the pyoners were commanded, with expedition, to cast trenches, and erect mounts, to plant artillerie therupon against the castell. There were five mounts erected about the castell. The first mount or fortresse was allotted to the regent, and had the name of the King's Mount; the secund to Sir William Drurie; the thrid to Sir George Carie; the fourth to Sir Henrie Leis; the fyft to Thomas Sutton, Maister of the Ordinance. Sindrie of the pyoners and souldiours were hurt, some slaine before the trenches and mounts were brought to perfectioun, with shott out of the castell. Upon the 19th day of May beganne the extreme heate of the batterie of the castell. There were threttie shott of cannon discharged against the castell, speciallie against David's Tower, till the 21st day of May. Then the batterie beganne on each side of the castell, from

the trenches and mounts. Diverse were hurt on both sides. Upon the 26th of May, David's Towre was battered doun, the ruins wherof dammed the passage within the utter gate, the bulwark also, on that part which is over against the gate, and Wallace Towre: Captan Crawfurd and Captan Hume scaled the blockhous; but it could not annoy them muche within the castell. But they were skant of water by the losse of the well without, before the batterie beganne. The wells within were filled with stones and lyme of the ruines. Beside this, there fell a discord betwixt the captan and the souldiours. He had committed to his wife the charge of the vivers, becaus that she did beare with his unlawful pleasures. She, being naturallie needie, skanted the victualls, which were skant eneugh alreadie. These within the castell demanded, by a drumme, parlee, which was granted the 28th of May. The Laird of Pittadrow was led doun by a cord from the castell over the wall, and after him the Laird of Grange, and Robert Melvill, to talk with Sir William Drurie and his associats. The captan asked life, lands, honours, bag and baggage, to himself and all that were with him. It was refused, wherupon he returneth. The regent findeth meanes to lett the souldiours understand that they sall have libertie to come out with bag and baggage, and their lives sall be spaired; wherupon the souldiours shew themselves unwilling to undergoe anie more paines. So the captan was constrained to surrender the castell upon the 28th or 29th, without anie conditioun, but simplie to come in the Queene of England's will. Her will was, to committ all to the will and wisdome of the regent.

THE PRISONERS DELIVERED AND COMMITTED.

Upon the 16th day of June, Sir William Drurie departed towards Berwick. The prisoners following were delivered by him to the regent, in presence of the English and Scots, viz., Sir William Kirkaldie, Laird of Grange, the Lord Hume, Lethington, Pittadrow, the Countesse of Argile, the Ladie Lethington, the Ladie Grange, and others, to the number of 164 men, 34 weomen, and

tenne boyes. The privat souldiours, and others of meaner sort, were suffered to depart with bag and baggage, according to promise. Some citicens of Edinburgh, and the Bishop of Dunkelden, were committed to the custodie of some souldiours in the Abbey, to whose custodie the regent also committed the Pryour of Coldinghame, Grange, Robert Melvill, and the rest, except the Lord Hume, who was committed to waird in the castell. The Pryour of Coldinghame was after committed to waird in Tantallan, and Robert Melvill to Lethington, under the custodie of David Hume of Fishick, then captan.

THE EXECUTION OF THE LAIRD OF GRANGE.

The Laird of Grange, and his brother, Mr James Kirkaldie, James Mosman, and one called Cockie, who had coined false money in the castell, was brought from the Abbey upon carts, and drawin backward. Mr David Lindsay, Minister of Leith, came to visite Grange before his executioun. He employed him to goe to the Erle of Morton, and to offer to him his whole heritage, the band of manreid of all his freinds, and to pass off the countrie in exile during his will. Mr David doeth as he is directed. The regent, after he had consulted with the Commendatare of Dumfermline, and the Clerk of Register, answered, the people could not be satisfied, nor the caus cleered nor crowned, but by the exemplar punishment of that man. Mr David returned with this answere, "O then," sayeth he, "Mr David, for our old freindship, and for Christ's sake, leave me not." When he saw the scaffold prepared at the Croce, the day faire, and the sunne shyning cleere, his countenance was changed. Mr David asked, what he was doing? "Faith, Mr David," sayeth he, "I perceave weill now that Mr Knox was the true servant of God, and his threatnings to be accomplished." He desired Mr David to repeate Mr Knox his words, which he did, adding, that Mr Knox told him that he was earnest with God for him; was sorie for that which sould befall his bodie, for the love he bare to him, but was assured there was

mercie for his soule. He desired him yitt againe to repeate these words, which he did, whereby he was muche comforted and encouraged, and desired Mr David to accompanie him to the scaffold. He said to him, "I hope in God, that after men sall thinke I am past and gone, I sall give you a tokin of the assurance of that mercie to my soule, according to the speeche of that man of God." So about foure houres, the sunne being west, about the north-west corner of the steeple, he was thrust off the ledder. As he was hanging, his face was sett toward the east; but within a prettie space, turned about to the west, against the sunne, and so remained; at which time Mr David marked him, when all supposed he was dead, to lift up his hands, which were bound before him, and to lay them doun againe softlie; which moved him with exclamatioun to glorifie God before all the people. He and Mosman were hanged at one time, and therafter takin doun, and their heads stricken off, and sett upon the highest pricks in the castell. The other coiner of false money, called Cockie, and Mr James Kirkaldie, were hanged the same day, but after them.

William Matlane of Lethington poysoned himself, as was reported, and ended his dayes the 9th of Julie, in Leith. He lay so long unburied, that the vermine came from his corps, creeping out under the doore of the hous where he was lying. This man was of a rare witt, but sett upon wrong courses, which were contrived and followed out with falshood. He could conforme himself to the times, and therefore was compared by one, who was not ignorant of his courses, to the chamæleon. A discourse went from hand to hand, before the siege of the castell, intituled, The Chamæleon, wherin all his wyles and tricks were described, a great part wherof we have remembered in due place, in the preceeding historie. Onlie this muche shortlie: In this description it is said, that at the first, when he entered in court, he addressed himself to James, after Erle of Murrey, and Gilbert, then Erle of Cassils. Through their good report, and his owne fained behaviour, he was putt in credite with the queene regent. When she sent him to France, he did his owne turne; deceaved the queene and the Cardinall of Lorane. With-

in short time after, by moyen of suche as gave him credit, he crap in credite again by another doore, and under another colour. Yitt, becaus his new fashioun could have no place, in respect of the old suspicioun, he convoyed himself to Leith, and covered himself with the cloke of religioun, so long as it could serve; yitt never so closse, but he keeped a refuge to some sanctuarie of the Papists, if the court had changed; as to the Bishops of Sanct Andrewes and Glasgow, and others divers, whose causes he mainteaned; and, therefore, Doctor Cranstoun imparted to him largelie of the spoile of Sanct Salvator's colledge, and was mainteaned by him. Before the queene's arrivall, he was contrare to the queene in all her actiouns, and inclinned to her deprivatioun: after her arrivall he applyeth himself to her, and the Erle of Murrey. But at lenth, he alone was heard in secreit maters, and the erle was shaikin off, for the erle was not weill pleased with manie matches attempted by the queene; as with the Prince of Spaine, the Emperor's brother, the Duke of Anjou. But he changed as he saw the queen change, and followed her appetite. When the queene went to the north, and Huntlie sould have slaine the Erle of Murrey by treasoun, he alone could feare no danger, and would never beleeve that the Erle of Huntlie would take suche interprises in hand; yitt was he one of the readiest to gnaw the bones of the dead, to spoile the quicke, and to make his profite at this mercat. When he went to England after this, he made both Papists and Protestants beleeve he laboured for them. He practised the mariage of the queene upon Henrie Lord Darly. When the Erle of Murrey, for his plainnesse and austeritie, was in a maner cast out of court, he thought to have gottin the credite of all weightie effaires. But Seigneur Davie was preferred before him. Finding himself in a worse case than he looked for, when the queene sought to mak some alteratioun in religioun, and some cheefe lords went out of the countrie, yitt he held the small grip he had in court He was an instrument to cut off Seigneur Davie. After that, he fell from the king, and nourished the dissensioun betuixt him and the queene. When the Erle Bothwell came in credite, he flattered him, and con-

sented to the murther of the king. After the death of the king, the Erle Bothwell sought his death, knowing his inconstancie and falshood, and desirous to be ridde of suche a witnesse. Then he had no other refuge, but to lurke about the Erle of Morton's wings. At the parliament holdin after the taking of the queene, he, with some others, partakers of the murther, would have had her putt to death. When that purpose wrought not, he solicited some privat men to hang her in her owne bed, with her belt, that he, and his partners in the murther, might be out of feare of suche a witnesse. When this counsell was not heard, then he turned himself to flatter the queene, and sent to Lochlevin the apologue of the lyoun delivered by the mowse out of the snare. Some say, in writt, for he perceaved he could not greatlie profite under the Erle of Murrey his governement, therefore he sought his overthrow, and her restitutioun. He maketh a faction among the counsellers and partakers of the king's murther, of men covetous of geare; corrupted my Lord of Murrey's freinds and servants; travelled with Grange, the captan of the Castell. The regent was advertised diverse times of his practises, but loathe was he to mistrust anie whom he had takin in freindship.

THE TWENTIE-SEVENTH GENERALL ASSEMBLIE.

The Generall Assemblie conveened at Edinburgh the 6th day of August. Mr Alexander Arbuthnet was chosin Moderator. It was voted that the place of this Assemblie sould be als sufficient as if it were holdin in Dundie.

TRIELL OF BISHOPS, SUPERINTENDENTS, ETC.

In the triell of bishops, superintendents, and commissioners, sindrie complaints were made upon Mr Johne Dowglas, Bishop of Sanct Andrewes, for giving collatioun of a benefice givin before to a minister, to another suspected of Poprie; for suffering the exercise of prophecie in Sanct Andrewes to decay; for admitting some

to functioun, who were unable, or untried. His defences were naughtie and frivolous.

Mr James Paton, Bishop of Dunkelden, was delated for receaving the name, and not exercing the office, of a bishop within his bounds: for not proceeding against Papists, and cheefelie, against the Erle of Atholl, and diverse others within his bounds; for simoniacall pactioun betuixt him and the Erle of Argile, tuiching the rents of the bishoprick, and suspicioun of perjurie in accepting the said bishoprick, becaus he giveth acquittances, and the erle receaveth the silver of the said bishoprick; for voting in parliament anent the act of divorcement latelie made in prejudice of the Assemblie; for suspending their judgement in that mater, till further advisement, according to the act of the last Assemblie. The act was made in the parliament holdin the last of Aprile. The substance of the act is, that whatsoever persons joyned in lawfull matrimonie divert from other's companie, without a reasonable caus alledged or deduced before a judge, and remaine in their malicious obstinacie by the space of foure yeeres, and in the meane time refuse all privie admonitiouns for due adherence, that then, the husband or the wife sall call and persue the obstinat persoun, offender, before the judge ordinar, for adherence. And incace no sufficient caus be alledged against adherence, but that the sentence proceed against the offender, the husband or the wife sall meane themselves to the Lords of Sessioun, and sall obteane letters in the foure formes, conforme to the sentence of adherence. If the offender contemne the charge, and be therefore denounced rebell, and putt to the horne, then the husband or wife sall require the lawfull archbishop, bishop, or superintendent of the countrie where the offender remaineth, to direct privie admonitiouns to the said offender, admonishing him or her, as before, for adherence. Which admonitiouns if he or she contemne, the archbishop, bishop, or superintendent, sall direct charges to the minister of that parish where the offender remaineth; or, incace there be no minister there, or that the minister will not execute, to the minister of the nixt adjacent kirk, who sall proceed against the said offender with publict admonitiouns; and if they be

contemned, to the sentence of excommunication; which sentence being once pronounced, the malicious and obstinat defectioun of the partie, offender, sall be a sufficient caus of divorce; and the said partie, offender, sall tyne and lose their tocher, *et donationes propter nuptias.*

Mr Robert Pont, Commissioner of Murrey, was delated for non-residence in Murrey; for not visiting kirks these two yeeres bygane, except Innernesse, Elgine, and Forresse; for not assigning manses and gleebes, according to the act of parliament. He alledged, he had no leasure, becaus it behoved him to returne before the last of June.

Mr George Hay, Commissioner of Aberdeen, was compleaned upon for sindrie things, and was ordeaned to give his answeres in writt, after noone.

THE BISHOP OF GALLOWAY'S CENSURE.

Alexander Bishop of Galloway was summouned by Mr Johne Row, Commissioner for Galloway, to compeere before this Assemblie. Certan heeds of accusatioun were givin in against him by the Superintendent of Lothiane, the kirks of Edinburgh, Halyrudhous, and the West Kirk, as followeth:—

"*Item*, in the first: We the said superintendent, minister, and parochiners of the said kirks, doe compleane, that the said Mr Alexander intruded himself in the office of the ministrie within the said burgh of Edinburgh, where he allured, drew, and perswaded a great part of the saids parochiners in a companie, thereby confounding all good order; wherethrough their owne lawfull ministers were rejected. Secundlie, The said Mr Alexander taught the people most perverse and ungodlie doctrine; but speciallie in perswading, intising, and exhorting to rebell against our soverane lord, and to joyne with manifest rebels and conjured enemeis. Thridlie, The said Mr Alexander, contrare to the act of the Generall Assemblie made for the prayer of our soverane lord, etc.,—most maliciouslie transgressed

the said ordinance, not onlie refusing to doe the same, but also avowing in his prayer another authoritie, and accusing and condemning all true ministers that did not the like that he did. Fourthlie, The said Mr Alexander being inhibited in speciall, by an act of the Generall Assemblie, to have anie intromissioun with the parochiners of Halyrudhous, he hath, notwithstanding, compelled them to joyne with his pretended kirk, in receaving the sacrament then abused by him within Edinburgh; causing his pretended bailiffes, by the assistance of the men of warre remaining within the said toun for the time, to oppresse and compell the said poore people to give him obedience. Fyftlie, The said Mr Alexander being sworne by his solemne oath, for due obedience to our soverane lord, and his Graee's regent and authoritie, came in the contrare therof, and violated and brake his said former oath, but speciallie sitting in a pretended parliament, for dispossessing of our said soverane lord of his royall crowne and authoritie. Sixtlie, The said Mr Alexander, being one of the pretended Privie Counsell, after the horrible slaughter of Matthew Erle of Lennox, regent to our soverane lord, of good memorie, gave thanks for the same, and others siclyke, in pulpit openlie to God; and exhorted the people to doe the same, saying, it was God's most just judgement that fell upon him; and as God then beganne to execute his most just judgement upon him, he would not faile to execute the same upon the rest; compairing often times our said soverane lord his regents and true lieges to Pharaoh, and wicked Absolom, and himself to Moses and David, whom God would defend. Last, By reasoun that the haynous faults of the said Mr Alexander have beene so notoriouslie knowne to all men, not onlie suche as have beene committed before the Reformatioun, but also suche as have beene committed diverse times since, to the great and heavie slaunder of God's true Word and professors therof; wherethrough manie of the saids professors, and others our soverane lord's true and obedient subjects, some time by him perverted, yitt still remaine in their wicked conceaved errour, and can skarse be perswaded in the contrare, except the

said Mr Alexander be caused confesse his errour publictlie, in all places where he hath offended; but speciallie in all the forsaid kirks."

The tenor of his answeres followeth:—

"Brethrein, I am verie loath, as God knoweth, to come in reasonning with your Wisdoms, concerning this complaint givin in against me by the Superintendent of Lothian and kirks of Edinburgh, Halyrudhous, and Sanct Cuthbert. Yitt, in respect of the highnesse and weightinesse of the caus that dependeth therupon, I am constrained, with your Wisdoms' pardon, to answere thereto; which is, the priviledge and benefite of the godlie Act of Pacificatioun made by the procurement of the queen's Majestie of England, with consent of my lord regent's Grace, the whole nobilitie and estats of this realme, by vertue of which act my lord duke, his freinds, my Lord Huntlie, I, and our freinds, servants, and dependers, are made * *[1] from all transgressiouns, crimes, offences, done by us, or anie of us, during the time of the troubles; to the which act the reformed bishops, abbots, and pryours, having vote in parliament, consented in name of the kirk. So, my lord regent's Grace for the criminall, and your Wisdoms for the spirituall part, have no place to call us, or anie of us, for anie offence during the said time, for the commoun caus, which was, the mainteaning of another authoritie, or anie thing that dependeth therupon. And it is of veritie, that the complaints givin in upon me depend therupon. In speciall, the greatest offence that can be layed to my charge is onlie the preaching of the Word, which I did at command of the other authoritie, and by electioun and admissioun of suche as professed the same. Therefore, your Wisdoms can be no competent judges to us, or anie of us, conteaned in the forsaid Act of Pacificatioun; for, as we were altogether disobedient at that time to the king's authoritie and kirk, tuiching that point allanerlie, in defending another authoritie, so are we, by this Act of Pacificatioun, become obedient subjects to the king and kirk, in all things except the offences forsaids, which are putt in oblivioun by consent of the

[1] A blank in the original.

three estats, as if they had never beene committed. Therefore we, nor anie of us, ought nor sould be troubled anie wise, for anie offence done during that time, as said is. In respect of the premisses, I humblie beseeke your Wisdoms to have regard to our estat, conditioun, and service done by my lord duke, his hous, ours of Huntlie, and dependers, for mainteaning of God's Word, and professours therof; and how we have not spaired, in tymes bygane, our lives and heritages in defence of the same; and that I was the first that publictlie preached Christ, in face of the authoritie: that this our defectioun, so honourablie and lovinglie remitted and putt in oblivioun, be no wise brought in disputatioun againe, to prejudge the said Act of Pacificatioun, ratified and approved in parliament by consent of the kirk, as said is. And if there be anie other offence done by us than is conteaned in the said act, that may anie wise be slaunderous to the kirk, before the 15th day of Junie, *anno* 1567 yeeres, untill the 24th of Februar 1572,[1] we sall answere thereto, as becometh members of the reformed kirk, and true professours of the blessed Evangell. Nather can your Wisdoms have farther jurisdictioun over me, nor over the rest of the communicants conteaned in the said Act of Pacificatioun, for the causes forsaids. Alwise, offers me to your Wisdoms, all things bygane being putt in oblivion according to the said act, to serve in my owne jurisdictioun, or to desist, as your Wisdoms pleaseth to appoint me."

Mr James Balfour, minister of Guthrie, was ordeanned to passe to the regent's Grace, the counsell, and commissioners of the Assemblie who were with his Grace, to shew to him these answeres; to crave his advice tuiching the alledged immunitie and incompetencie. Mr James returning, reported, that his Grace was most willing to observe the heeds of the pacificatioun, not prejudging the priviledge of the kirk; and that he willed, that all notorious open slaunder sould be satisfied, according to the discipline of the kirk.

Mr Alexander Gordoun being summoned and often called upon, compeered not; was again summouned with certificatioun, and would not compeere. Wherupon, and for offences conteaned in the

[1] *Alias* 1573 *Note in the original.*

former accusatioun not denyed, it was concluded, that he sould make publict repentance in sacke-cloth, three severall Lord's dayes; one in the kirk of Edinburgh, another in Halyrudhous, the thrid in the Queen's Colledge. And for this purpose, two ministers were directed to him, to charge him in name of the Assemblie to underly and performe the said injunctions; and to beginne the Lord's day nixt to come in the kirk of Edinburgh, thereafter in the other two kirks successive, under the paine of excommunicatioun. Becaus, as it seemeth, he could not be personallie apprehended, the Assemblie command Mr Roger Gordon, minister of Quhitterne, to warne him in the cathedral kirk of Quhitterne, upon a Lord's day, in time of divine service, to resort to the saids kirks, and to obey the forsaid injunctions, under the paine of excommunicatioun; with certificatioun, that if he obey not, the Assemblie commandeth the minister of Edinburgh or Halyrudhous to proceed to excommunicatioun against him, and to publish the same at the other two kirks, and in other kirks, as sall be thought expedient. The bishop was injoyned to obey betwixt and the 20th day of September, and Mr Roger to send this ordinance, duelie executed, before the said 20th day of September, to the kirk of Edinburgh, as he would be answerable to the Generall Assemblie.

READERS CENSURED.

George Boyd, reader at Dalry, was injoyned to make his publict repentance upon two severall Lord's dayes, becaus, being discharged from all ministratioun of the Lord's Supper, had not the lesse ministred the same, after his maner, at Kilburnie, the last Easter. It was ordeanned, that this act sall strike upon all readers that sall be found guiltie of the same crime.

Alexander Hay, Clerk to the Secreit Counsell, presented certan heeds propouned by my Lord Regent's Grace to the Assemblie, the tenour wherof followeth:—

"My lord regent's Grace, even as he accepted on him the regiment,

beganne to espie and consider the corruptions and abuses entered in the order of the collectorie, and to remember the sindrie sutes made by the ministers of the kirk, in diverse Assemblies, to have certane assignatiouns made unto them of their livings and stipends, in places most ewest and commodious to their residence. And herewith all, being carefull how the articles accorded upon at Leith sould tak effect, viz., that the worthie and qualified ministers and preachers might be planted and distributed throughout the whole realme, and the readers speciallie appointed at everie severall kirk where convenientlie it might be, his Grace sensyne, at sindrie dyetts travelled with the kirk and their commissioners, for perfectioun of this so godlie and necessar a purpose; and by diligent labours, the names and numbers of the parish kirks are collected, and the ministers and preachers present distributed among them, whill it sall be God's good pleasure to raise up moe worthie and qualified persons, zealous and willing to enter in that functioun, who, from time to time, sall, God willing, be sufficientlie placed and provided of competent livings.

"The stipends, by commoun consent, are modified, and certan assignations to be made for payment of the same, out of the rents of the thrids of the benefices; commoun kirks or benefices newlie provided since the king's coronatioun, beginning the ordinar payment of the fruicts now growing on the ground.

"The minister sall alwise be first provided: and to that effect, where need sall be, the assumptions of the thrids of prelaceis, and other great benefices altered, and the assignation of the minister's and reader's stipends off the first and readiest ducteis of the kirk and parish where they serve, out of the hands of the taxmen, or suche of the parochiners as they themselves sall choose, to be debtors unto them.

"And incace anie thing now assigned be before dispouned, or provided in pensioun, portioun, or otherwise, wherethrough the payment may appeare uncertane and doubtfull, they sall have another sure and speciall assignatioun out of some other part of the thrid

of that benefice, or otherwise, in some part where it may be most commodiouslie had to their contentment, and letters granted for executioun heerof, in due forme, as effeires.

"*Item*, My lord regent's Grace mindeth, with all convenient expeditioun, that qualified persons sall be promoved to the bishopricks now vacand, the delay wherof hath not been in his Grace's owne default, but by reasoun some interesses were givin to these livings, in favours of certan noblemen, before his acceptatioun of the regiment. Yitt his Grace, perswaded that qualified persons sall speciallie be presented; and incace of failyie, will not faile without the others' consent to present.

"And, in the meanetime, it was contented, that suche superintendents and commissioners as the kirk sall be content with, or sall appoint, continue in their charges as before, where bishops are not placed; and have their stipends therefore, whill the bishops be admitted to their owne places and offices which sall not be retarded in his default.

"And forsameekle as, since the reformatioun of religioun in this realme, sindrie commoun kirks and commoun lands, and sindrie benefices, are sett by the prince in few and tacks, farre within the just availl and rent which they were worth, and gave before the said reformation, or, ellis, in a pretended maner are freelie givin by the prince in pensioun or gift, upon the inopportune sute of some persons, without consideratioun of anie ground or right how the same might be done, no law or act of parliament yitt passing, whereby the power of setting, fewing, and dispositioun of the saids commoun kirks, commoun lands, or thrids, were annexed to the crowne, or declared to perteane to the prince; it being good reason that the ministers of the kirk sould be susteaned upon the rents therof, and that the said commoun lands sould be applyed to the helpe of schooles, and otherwise *ad pios usus:* Therefore, ordeans summons to be libelled, at the instance of the king's Majestie's advocat, and of the procurators of the kirk, for their interesse therof, for reduction of the said fewes, tacks, and dispositiouns, wherethrough

the rents of the saids commouns and thrids may be godlie and rightlie applyed, as effeirs.

"It is resolved, that the executions of the sentence of excommunication against persons excommunicated, after the space of fourtie dayes past, shall be presented to my Lord Treasurer, or his clerk, who therupon sall raise letters by deliverance of the Lords of Sessioun, to charge the persons excommunicated to satisfie the kirk, and obteane themselves absolved, under the paine of rebellioun. And incace they passe to the horne, to caus their escheats be tane up, and also to raise and cause execute letters of captioun against them: and that to be done at the king's Majestie's charges.

"Tuiching the escheats of excommunicated persons, where the wives and childrein are faithfull, the law alreadie made is thought good, and worthie to be executed; and all dispensatiouns dangerous, and tending to the increasse of contempt and disobedience.

"Tuiching the pecuniall penaltie to be raised on the recepters of the excommunicat, becaus as yitt there is no expresse law, therefore lett an article be formed heeranent, against the nixt parliament; and in the mean time the kirk to use the discipline therof against suche offenders.

"And diligence possible sall be made, for collecting and ingathering of the rests, to the helpe of the ministers standing in doubt. And it is not thought that the uptaking of the escheats of the rebels sall prejudge them.

"The order of upholding of schooles in burgh and to landward would be declared in a more speciall article.

"It is thought meete the multitude of heriticall bookes brought in this countrie sall be burnt, and that proclamation be sett out in strait maner, that none bring home heriticall bookes, nor preasse to sell them, whill they be visited in time comming. And this act to be extended in large forme.

"The law tuiching the manses and gleebs is thought sufficient, if the execution of the same be duelie sought.

"Tuiching the susteaning and upholding of cathedrall kirks, which are parish kirks, the same must be done as it had wont to be before, whill a new or better order be tane theranent by the parliament.

"For punishment of persons that passe in pilgrimage to wells, lett the discipline of the kirk be used against the users of suche superstitioun, and the civill magistrat sall also hold hand to the punishment.

"Lett also an article be formed and givin in to the parliament, for law to be made against suche persons as make commoun buriall-places of their parish kirks, being commanded by the contrarie.

"Tuiching the heeds and articles presented concerning the jurisdiction of the kirk, they are found verie meet to be reasonned upon; wherunto my lord regent's Grace will appoint some of the counsell to conferre with others that the kirk sall depute, to this effect; so that it wherin they agree may be confirmed in parliament, and have the force of a law therafter.

"*Item*, Seing the most part of the persons who were channons, monkes, or friers, within this realme, have made professioun of the true religioun, it is therefore thought meete, that it be injoyned to them to passe and serve as readers, at the places where they sall be appointed.

"To appoint a day for electioun of the Bishop of Murrey.

"To appoint a day for electioun of the Bishop of Rosse.

"That the day be keeped for electing the Bishop of Dumblane.

"To appoint a day for electioun of the Archbishop of Glasgow.

"Commissioners in all provinces where bishops are not placed.

"A suffragan for the Bishop of Sanct Andrewes in Lothiane.

"That everie commissioner tarie, to see the principall assignatioun and order made for payment therof, for the weill of the ministrie within his charge."

COMMISSIONS.

Commission was givin to some superintendents, ministers, barons, and commissioners of burghs, to conferre with my lorde regent's Grace, and Lords of Secreit Counsell, upon suche heeds and articles as sall be propouned by his Grace and counsell; and to receave answere to the articles and heeds which were to be propouned by them, in name of the Assemblie, to his Grace; and to report their conference and reasoning to the Assemblie, before the dissolving therof. Some were appointed to penne the articles which were to be propouned in name of the Assemblie, and the injunctions which were to be givin to the commissioners. After that Alexander Hay had presented some articles sent from the regent's Grace, and seing the Assemblie could not stay till the finall determinatioun of suche things as are in treating betwixt my lord regent's Grace and the Assemblie, tuiching the distributioun of ministers, their placing, and assignatioun to be made for sure payment of their stipends, etc.—the Assemblie adjoyned to the forsaid commissioners other twelve ministers and superintendents; giving power to the said brethrein, or anie thritteene of the number, to conferre with my lord regent's Grace and Secreit Counsell, tuiching the heeds to be propouned by his Grace and counsell, and the heeds, articles, requeists, supplications, which are to be propouned by them in name of the Assemblie, conforme to the instructions which are to be givin to them; and to report their proceedings to the nixt Assemblie, to be registred among the acts therof. Mr Robert Pont, Commissioner of Murrey, Mr Johne Row, Commissioner of Nithisdaill and Galloway, Mr Gilbert Gardin, Minister of Fordyce, Mr David Cunningham, Minister at Monkland, were appointed to putt in forme the instructions, conforme to which the forsaid commissioners were to proceed.

ACTS.

The Assemblie ordeanned all bishops, superintendents, commissioners to plant kirks, and ministers of particular kirks, to proceed to excommunication against all receavers of excommunicat persons, if, after due admonitiouns, the receavers be disobedient, conforme to the order conteaned in the Booke of Excommunicatioun; and whosoever wittinglie receaveth and interteaneth an excommunicat, albeit he desist after admonition, that he underly the discipline of the kirk, by making his publict repentance, except suche as are excepted by law. And that none pretend ignorance, the Assemblie ordeaned, that all bishops, superintendents, and commissioners, in their synodall conventions, tak up in roll the names of the excommunicats within their jurisdictiouns, and to bring their names to the Generall Assemblie, that bishops, superintendents, and commissioners, by the ministers in their provinces, may divulgat the samine in the whole countreis where the excommunicats haunt.

2. Tuiching the change of the situation of parish kirks, their gleebs and manses, for the commoditie of the parochiners, the Assemblie giveth licence to the bishops, superintendents, and commissioners to plant kirks, with advice and consent of the parochiners and ministrie of the countrie, to change the parish kirks, manses, and gleebs, from one place to another, for the commoditie of the parochiners, providing the change be not hurtfull to the ministrie; and that sufficient suretie be made of the lands, in quantitie and goodnesse, as they were before, to remaine with the kirk for ever, with mortification therof by the king's Majestie.

3. The Assemblie ordeanneth all bishops, superintendents, and commissioners for planting of kirks, to call suche persons as sall be suspected to consult with witches, before them, at their particular visitatiouns, or otherwise; and to caus them mak publict repentance in sackcloath, upon the Lord's day, in time of preaching, under the paine of excommunicatioun. And if they be disobe-

dient, to proceed to excommunicatioun, due admonitiouns preceeding.

4. It is statuted and ordeanned, that all bishops, superintendents, and commissioners for planting of kirks, sall direct their letters to ministers where the persons dwell that are to be excommunicated, to admonishe accordingly. And, in cace of disobedience, to proceed to excommunicatioun, and to pronounce the sentence upon a Lord's day, in time of preaching; and that the ministers indorse the said letters, making mentioun of the dayes of their admonitioun, and excommunicatioun, for disobedience; and report to the saids bishops, superintendents, and commissioners, according to their directioun conteaned in the said letters.

QUESTIONS DECIDED.

The brethrein appointed for answering questiouns reported their answeres as followeth:—

1. Noblemen offending in suche crimes as deserve discipline in sackcloath, are als muche subject to the discipline of the kirk as the poorer sort.

2. A superintendent or commissioner may not, with advice of anie particular kirk within their jurisdictioun, dispense with the rigour of sackloath, for a pecunial summe, to be employed *ad pios usus*; for he may not dispense with the Acts of the Generall Assemblie.

3. The Assemblie thinketh it expedient, that becaus some have beene excommunicated without due order, that the caus and order of processe be sighted by the bishop, superintendent, or commissioner, before the sentence be pronounced. At this time there were no presbytereis constituted, and the sessiouns of manie particular kirks were verie weake.

4. The Assemblie ordeanneth, that the Acts of Parliament imposing pecuniall paines for fornicatioun and breache of the Sabboth, be putt in execution. As for drunkennesse, that the drunk-

ards be admonished; and if they disobey, to be repelled frome the Table of the Lord. Yitt magistrats may inflict a pecuniall paine for the same, whill order be takin in parliament, howbeit the Assemblie may not.

5. Ministers may not with safe conscience admitt to the Table of the Lord, and other benefites of the kirk, these who in the late troubles oppouned themselves against the lawfull authoritie, and susteaned the actioun of them who troubled the estat both of kirk and commounweale, till they submitt themselves to the discipline of the kirk; and that the minister that wittinglie and willinglie admitteth anie of them be punished by his ordinar, according to the qualitie of the fault, and place where he serveth.

M.D.LXXIV.

MR J. DAVIDSONE SUMMOUNED FOR A BOOKE.

The regent held a justice air in Hadinton, at what time Mr Johne Davidsone, a regent in Sanct Leonard's Colledge at Sanct Andrewes, was summouned before the regent and the counsell, to answere for a booke sett furth by him in maner of dialogue betwixt a clerk and a courteour, tuiching the appointing of one minister to foure kirks; for the regent and counsell had made an act before, to cast so manie kirks in the hand of one preacher, that the king's revenues, by the superplus of the thrids, might be the greater. Mr Johne was wairded in Clerkinton, and therafter brought to Halyrudhous, before the regent and counsell. But after earnest intercessioun, he was suffered to goe to Sanct Leonard's till the nixt Generall Assemblie. The Universitie of Sanct Andrewes in the meane time conveened, becaus one of their members was troubled; but agreed not tuiching the mater itself, becaus the schooles were divided at that time in factiouns. Sanct Leonard's Colledge, and Mr Robert Hammiltoun, minister of the toun, approved it, howbeit afterward, to please the regent, he promised to reasoun in the contrarie. Mr Johne Rutherfurde wrote

a confutatioun, yitt in the end of the confutatioun allowed it, as yee sall heare.

THE COINE ABASED.

Upon the 25th of Februar there was a conventioun holdin at Edinburgh, at which the hardheids wer abased from three half-penneis to a pennie, and placks from foure penneis to two, which procured great invy and hatred of the commouns against the Erle of Morton, for the people's hands wer full of that money.

THE TWENTY-EIGHT GENERALL ASSEMBLIE.

The Generall Assemblie conveened in the Neather Tolbuith of Edinburgh the 6th day of Marche. In the Assemblie preceeding, there were onlie two bishops, Sanct Andrewes and Dunkelden. But since that time, their number increassed; and there were, beside the other two present at this Assemblie, Glasgow, Murrey, and Cathnesse. George Bishop of Murrey was a whole winter mummilling upon his papers, and had not his sermoun *per cœur* when all was done. Mr James Boyd was induced by the Lord Boyd to accept the bishoprick of Glasgow, the gift wherof, the said lord being familiar with the Erle of Morton, had purchassed for his commoditie. But within a yeere or two, when he found not his bishop plyable to his intentions, he caused his sonne, the Master of Boyd, seaze upon the Castell of Glasgow, and gather up the rents of the bishoprick, to interteene the same, becaus the Tulchan bishop caused not the kow give milk eneugh to my lord. Mr James Patoun, Bishop of Dunkelden, gave acquittances, but the Erle of Argile receaved the money. May we not cleerlie see, bishops were not sett up for the weale of the kirk, but for the commoditie of the noblemen? They had said in plaine terms, they behoved to leave the kirk, if they gott not the kirk rents. So they fought never against the Papists, but against the titulars of the tithes and rents of the kirk. If Christ, if religioun, if the

ministrie sall reclame the tithes and kirk rents, they sall be to them Antichrists, Papists, Jesuits. At this Assemblie, Mr Andrew Hay, Minister of Renfrew, and Commissioner of Cliddisdaill, was chosin Moderator.

TRIELL OF BISHOPS, SUPERINTENDENTS, ETC.

In the triell of bishops, superintendents, and commissioners, the Assemblie injoyned the Bishop of Sanct Andrewes to reforme the collatioun givin to Robert Dowglas, a simple reader, of the personage of Morvington, according to the lawes alreadie made tuiching personages. *Item*, To produce the processe, wherin he absolved Mr Magnus Halcro, who was excommunicated for adulterie in Orkney. Being delated for reteaning the Rectorie of the Universitie, and Provestrie of the New Colledge, he answered, he was content to dimitt the one and the other, how soone my lord regent's Grace and commissioners sall come to Sanct Andrewes to visite the colledges. His not visiting Fife, and not preaching at Sanct Andrewes, the place of his residence, he excused with infirmitie of bodie since he tooke on the bishoprick. The Superintendent of Stratherne confirmed his excuse with his testimonie.

Mr James Patoun, Bishop of Dunkelden, confessed his oversight, that he did not execute the sentence of excommunicatioun against the Erle of Atholl and his ladie, according to the Act of Parliament. And therefore was commanded to confesse his fault publictlie in the cathedrall kirk of Dunkelden, upon a Lord's day, in time of divine service; and that therafter, within fourtie dayes, the erle and his ladie, and so manie of his familie as sall be found disobedient, be excommunicated; and to report the order of the excommunicatioun, and indorsatioun therof, in authentic forme, to the regent's Grace, that order might be takin theranent. He admitted one, Sir Walter Robesone, to be reader in the kirk Logyret, who, within twentie dayes therafter, past with a dead corps to the kirk, having the supercloath upon him, in Popish maner. The bishop is ordeaned to trie this slaunder.

George Bishop of Murrey was delated for fornicatioun committed with the Ladie Ardrosse, and ordeanned to purge himself before the Assemblie. He craved time to advise till the 10th of this moneth. The Superintendent of Angus, Mr George Hay, Commissioner of Aberdeen, Mr Alexander Arbuthnet, Principall of the Colledge, Mr Johne Craig, Minister of New Aberdeen, were ordeaned to summoun the Chapter of Murrey before them, for giving their letters testimonialls to him, without just triell, and due examinatioun of his life, and qualificatioun in literature. He compeered not upon the tenth day, as he promised, and therefore the Bishop of Dunkelden was ordeanned to warne him to compeere the 22d day of this instant moneth.

SUPERINTENDENTS DIMITT.

The Superintendent of Angus, of Lothian, and Stratherne, dimitted their office of superintendentrie, purelie and *simpliciter* in the Assembleis hand; yitt the Assemblie did not accept of their dimissioun, but continued them. The Bishop of Glasgow being unable to visite the whole diocie of Glasgow, the Assemblie thought good, that there sould be two commissioners appointed to assist him. Mr Robert Pont, Commissioner of Murrey, in respect that George Dowglas, Bishop of Murrey, was admitted to the bishoprick, purelie and *simpliciter* dimitted his office of commissionarie.

The Assemblie appointed Mr James Lowsone, Mr David Lindsey, the Laird of Barganie, the Laird of Thornton, the Commissioners of Edinburgh and St Johnstoun, to present this supplicatioun following to my lord regent's Grace and the Lords of Privie Counsell:—

> "Unto the Lord Regent's Grace and Lords of Privie Counsell, with others of the Estats conveened with his Grace, the Generall Assemblie now conveened wisheth everlasting health in Christ.

"It is not unknowne that holie mysterie of God, that hath chosin to himself a kirk, and that frome the beginning, which sall continue for ever, and this same is the congregatioun, and companie of the faithfull professours of Jesus Christ. And in his kirk God hath appointed his holie mystereis to be ministred, and calleth men to be ministers of the same, that by the same ministrie the elect of God may be called, regenerated, and nourished to everlasting life. For preservatioun of the holie ministrie and kirk in puritie, the Lord hath appointed assembleis and conventiouns, not onlie of the persons appointed to the ministrie, but also of the whole members of the kirk professing Christ. The which kirk of God hath continuallie used, and useth the same assembleis, sanctified by the Word of God, and authorized by the presence of Jesus Christ. It is also knowne to your Grace, and that since the time God blessed this countrie with the light of his Evangell, the whole kirk most godlie appointed, and the same by act of parliament authorized, that two godlie Assembleis of the whole generall kirk of this realme sould be everie yeere, als weill of all the members therof in all estats, as of the ministrie. The which Assembleis have beene since the first ordinance continuallie keeped in suche sort, that the most noble and of the highest estate have joyned themselves by their owne presence in the Assembleis, as members of one bodie, voting, concurring, and authorizing all things there, proceeding with their brethrein. And now, at this present, the kirk is assembled according to the godlie ordinance, and looke to have concurrence of their brethrein in all estats; and wish of God, that your Grace and Lords of Privie Counsell will authorize the kirk, in this present Assemblie, by your presence, or by others having commissioun in your Grace and lords' names, as members of the kirk of God. For as your Grace's presence and the nobiliteis sould be unto us most confortable, and so most earnestlie wished of all, so your Grace's absence is to our hearts most dolorous and lamentable; wherof followeth the want of a great part of the members, which cannot be weill absent from the treatting of these things which apperteane to the kirk and policie therof, to be handled by advice of all together

in the Assemblie; and to which end the Assembleis are appointed, the authoritie wherof your Grace knoweth to be suche, as the contempt of it tendeth to the verie dishonour of God. And, therefore, as yee esteeme yourselves to be members of Christ and of his kirk, show the fruicts therof; of the which it is not the least to reyne your self to the kirk, not onlie by hearing the Word, and receaving the sacraments, but also in conveening with your brethrein in the holie assembleis. The which to doe, we give you admonitioun in the name of the Lord; extending this our admonitioun to everie person, of whatsoever estat, that are present with your Grace and lordships; and speciallie we admonishe the bishops, and suche as are of the ministrie, to joyne themselves with us, according to their duetie, otherwise they will be thought unworthie of the office they beare. The time that the Assemblie will sitt will be short, and time would not be neglected; yitt the Assemblie is not so rigorous but that men may, after their presence givin in the Assemblie, have libertie, as time requireth, to await upon their lawfull bussinesses. And this admonitioun we give your Grace with all reverence and humilitie, and that cheefelie, in respect that your Grace, by your owne articles and questiouns sent to the Assemblie, desireth first to be admonished charitablie, whensoever offences arise, before the samine be otherwise traduced."

THE REGENT'S ANSWERE.

In this petitioun they make mentioun, that, since the Reformatioun, the kirk appointed, and that by act of parliament it was authorized, that there sould be two Generall Assembleis in the yeere, consisting not onlie of ministers, but also other members of all estats, and almost never conveened moe than at this Assemblie. The answere to this petitioun was verie hard. The regent asked, Who gave them power to convocat the king's lieges without his advice, who was in authoritie? The commissioners, being abashed at this suddane questioun, held their peace a long time, till it pleased God to strenthen the heart of one of them with courage.

"We are conveened at commandement of our Master and Head of the kirk, Christ Jesus, who hath commanded, when his kirk was in anie trouble, the members therof to conveene, and sett the kirk at rest and quietnesse, and purge the same of all filth and corruptioun." Alwise, they gott not that answere to their supplicatioun which they expected.

COMMISSION.

For answere to the last articles sent to the Assemblie by my lord regent's Grace, tuiching the substantiall caus, if anie be, of mislyking the order agreed upon for payment of ministers' stipends, and assignatioun of the same, and what better order can be propouned and devised for the same, the Assemblie appointed some superintendents, ministers, and barons, to consider the forsaid article, and penne an answere thereto, and to report again to the Assemblie. In the fyft sessioun, the Assemblie appointed Mr George Hay, Commissioner of Aberdeen, and Mr Alexander Arbuthnet, Principall of the Colledge, to present the answere of the Assemblie to my lord regent's Grace's article concerning the order of assignatioun of ministers' stipends, and to report his Grace's answere to the Assemblie.

A COMMISSION CONCERNING THE JURISDICTION OF THE KIRK.

The Assemblie appointed the Bishop of Glasgow, the Superintendents of Angus and Stratherne, Mr Robert Pont, one of the Lords of Sessioun, and preacher of God's Word, Mr Johne Row, minister of Perth, Mr Robert Matlane, Deane of Aberdeene, Mr Alexander Arbuthnet, Principall of Aberdeene, and Johne Duncansone, minister to the king's hous, to conveene and write the heeds and articles which concerne the jurisdictioun of the kirk; to present the same to the Assemblie, that resolution may be had from the regent. Power and commissioun was givin to the Superintendents of Angus and Stratherne, Mr Robert Pont, Mr Johne

Row, Mr George Hay, Mr David Lindsey, Mr James Lowsone, Johne Duncansone, to confer with my lord regent's Grace and Lords of Secreet Counsell, upon heeds which concerne the jurisdictioun and policie of the kirk, and suche other heeds and articles as sall be propouned by his Grace and counsell to them; and upon the heeds, articles, and requeists which are to be propouned to his Grace and counsell, in name of the Assemblie presentlie conveened; and concerning all and sindrie other things tending to the setting fordward of the glorie of the eternall God, mainteaning the preaching of his Word, the king's Majesteis authoritie, and commoun wealth of this realme, firme and stable holding, &c.

ACTS.

The Assemblie ordeaneth all commissioners of touns and provinces to searche and seeke out the whole rentals of the hospitals within their bounds respective, and give the samine up to their bishops, superintendents, or commissioners, shewing how the same are used or abused, to the effect my lord chanceller may receave the same, and report to my lord regent's Grace; and this to be done betuixt and the tenth of Aprile.

2. Tuiching the jurisdictioun of bishops in their ecclesiasticall functioun, the Assemblie hath concluded, that the same sall not exceed the jurisdiction which superintendents have heretofore had, and presentlie have; and that they sall be subject to the discipline of the Generall Assemblie, as superintendents have beene heretofore in all sorts, as members therof. That no superintendents or commissioners to plant kirks sall give collatioun of benefices, or admitt ministers, without the assistance of three qualified ministers of the province, and their testimonialls subscrived with their hands, in signe of their consents. And, in like maner, that no bishop give collatioun of anie benefice within the bounds of superintendents within his diocie, without their consent and testimoniall subscrived with their hands; and that bishops within their owne dioceis visite by themselves where no superintendents are; and give

no collatioun ordinar upon benefices, without consent of three weill qualified ministers, as said is of superintendents and commissioners to plant kirks.

3. As concerning the appointing of sindrie kirks to one minister, to the end the mater may be plainer, and the minde of the Assemblie knowne to all men heerin, the Assemblie hath declared, that howbeit sindrie kirks be appointed to one man, yitt sall the minister make his residence at one kirk, which sall be properlie appointed to his charge; and he sall be called and reputed principallie the minister of that kirk. As concerning the rest of the kirks to which he is nominated, he sall have the oversight of them, and helpe them in suche sort, as the bishop, superintendent, and commissioner sall thinke expedient; and as occasioun sall serve, from his owne principall charge; the which, in no wise, he must neglect: And that this order remain till God, of his mercie, thrust moe labourers into his harvest.

Some brethrein were appointed to consider the bills, complaints, requeists, and questiouns which could not be resolved in synodall conventiouns of provinces, and to report their judgement. But we find no questiouns or answeres. It appeareth there hath beene no reference of questions from synods.

Mr Johne Davidsone was summouned to compeere before the regent and counsell, upon Saturday the sixt of Marche, in Halyrudhous, where manie of the nobilitie were present. The Justice-Clerk demanded, if he had made the booke entituled, "The Dialogue betwixt the Clerk and the Courteour;" and if anie man had counselled him to mak it? He stood at his former marke, and denied not that he made it, or that anie counselled him; for appearandlie, they would have beene content if he had denied. He proved that it was a famous libell, becaus the name of the author was not expressed. Mr Davidsone denied the sequele. Then said the Justice-Clerk, "To a privat man to write against the conclusions of princes is damnable, and the writter worthie of punishment." He denied that he had writtin anie thing against the conclusioun of prince or princes, or that it was damnable. Then said

the Justice-Clerk, "*Ne sutor ultra crepidam.*" "My lord," said he, "what will yee mak *crepidam* to a schollar?" "Marie, sir," sayeth the Justice-Clerk, "yee sall get your owne *crepida.*" The regent interrupteth, and sayeth, "My lords, yee heare this man's kinde of answering: I would yee sould looke to it, and looke what he hath deserved." The night approaching, they said they would resolve at the nixt meeting.

Mr Johne went to the Abbot of Dumfermline, who was sovertie for him, and asked what he sould doe. "Yee have entered heere now at your day," sayeth he; "yee may stay in the toun, and heare what the Assemblie sayeth to you, for I thinke there sall be no more of it." So he went up to the toun, and upon Tuesday he declared to the Assemblie how he had beene summoned before the counsell, and troubled a long time for a booke which was not unknowne to their wisdoms; and what was his minde, and the whole processe of it; and desired them to examine it. And if they find it dissonant with the Word of God, condemne it; if consonant to the truthe, approve it, and that with expeditioun, becaus his staying was chargable, and noble men's sonnes, his schollers, were defrauded by his absence. Manie approved his requeist, and applauded, not without murmure. Some informed the moderator, that Mr Johne Rutherfurde had made an answere to it. The Assemblie thought good it sould be presented. He shifted, saying, he could not produce his *ineptias*, and that he had writtin but one copie, which the regent had. Mr William Skeene, commissar, alledging himself commissioner for the universitie of Sanct Andrawes, protested the priviledge of the universitie sould not be prejudged, and that he might be judged before the universitie. So said the bishop also, who was rector for the present. Mr Johne desired Mr William Skeen's commissioun to be produced in writt, according to the custome. "He is admitted alreadie," sayeth the moderator, "and hath voted as commissioner of the universitie, so that now we cannot call it in doubt." "Weill," said Mr Johne, "he was not chosin by the universitie conveened, as they use to be for suche purposes;" and caused aske the principall of their colledge of Sanct

Leonard's, Mr Nicoll Dagleish, and Mr William Collesse, two regents, if their colledge was warned to conveene with the rest for the said purpose. They answered, "No." Then said the bishop, "Yee are in the wrong to the universitie, that seeketh triell of your booke heere." "I have beene," said Mr Johne, "als weill bent to keepe the priviledge of the universitie as anie other suppost of the same; and sall be als loath to hurt the priviledges therof as anie of you sall be." "Why, then," said the bishop, "sute yee not before us a triell but heere?" "I see God worketh weill," said the other: "that which yee did for my hurt, God hath turned to be a defence for me this day. When I sought your judgement, yee denyed it; and when we sought the priviledge of replegiatioun of the universitie from the civill judgement, yee would not grant it to us. God be praised, that maketh you to be trapped in your owne devices!" Then the moderator injoyned them silence, and desired Mr Johne Rutherfurde yitt againe to produce his booke. But he yitt still refused, and said, that Mr Johne had called him "crused goosse" in his booke; that he had little Latine in his booke, and that was false; with manie other brawling words. Silence being injoyned, it was voted, whether he sould be compelled, under the paine of excommunicatioun, to present his booke? and in end it was concluded, that both Mr Johne Rutherfurd, Proveist of Sanct Salvator's Colledge, and Mr Johne Davidsone, sould present their bookes the day following.

Mr Johne Davidsone presented his booke in writt, to be sighted and considered by the brethrein appointed thereto, and alledged the same was printed without his advice and command. Mr Johne Rutherfurde compeered not till the thrid sessioun, after he had beene again warned. He protested for the jurisdictioun of the rector, seing it was but a free conference; that it sould not be prejudiciall to him, and that the rector be immediat judge. He alledged his booke to be imperfyte, and therefore that he could not produce it, nor would produce it, till he advised with his immediat judge, the rector; and so went out of the Assemblie. The Assemblie, notwithstanding of the said protestatioun, appointed Mr

Robert Hammiltoun, and Mr James Melvill, ministers, to warne him to produce it to the brethrein deputed to sight and trie it. At lenth he brought his booke, and one with him to read it. Being demanded what moved him to write it, he answered, that the other had called him a crused goosse. The other answered, he named no man in that booke; and appealed his conscience, if ever he gave him occasioun, by word or deid, to write against him. The other could alledge none. The author was ashamed at some parcells of it, and desired them to be scraiped out. In the end of the booke he concluded, that he found no fault in the mater and substance of the dialogue, but in the forme and maner: yitt was he dealing with the arguments, and so was contradictorie to himself. The brethrein deputed to trie would nather damne nor allow, but passed over with silence, least the regent sould be offended, pretending their number was not full.

Sindrie gentlemen who were at the Assemblie were offended with their proceedings, speciallie Robert Campbell of Kingzeancleuch. He, perceaving their trifling in the mater, said to Mr Davidsone, "Brother, looke for no answere heere: God hath takin away the hearts from men, that they darre not justifie the truthe, least they displease the world; therefore, cast you for the nixt best." So he went with Kingzeancleuch to the west, where he saw suche a good exemple of pietie and holie exercise, in his familie, that he thought all his lyfe-time before but a profane passing of the time. In the meane time, Kingzeancleuch and he wrote to Ormeston and Braid, to travell with the regent for libertie to him to returne to his calling at Sanct Andrewes; but it could not be obteaned. In the meane time, Kingzeancleuch tooke his deadlie disease at Rusco, a place belonging to the Laird of Lochinvar. Among manie other heavenlie speeches, he said to Mr Johne, "A packe of tratours" (meaning some ministers) "have sold Christ als manifestlie as ever Judas did, and that to the regent: what whole heart can conteane itself unbursting?"—and with that he burst furth in roaring, so that he might have beene heard a good space without the chamber.

Mr Johne, being advertised that he was to be summouned to underly the law the thrid day of June, must tak good night of Kingzeancleuch. The same day he went from Rusco. About the 17th of Aprile he was summouned at Sanct Andrewes, to find sovertie, within six dayes, to underly the law the thrid day of June, under the paine of horning. So he was putt to the horne the thrid day of May. Some gentlemen of Kyle conveened at Mauchline kirk, and sent to the Laird of Carnell, who was then in Edinburgh, desiring him to be sovertie, and promising to releave him of the penaltie. So he did, upon their writt, having conjunct with him Andrew Ker of Fadownside. Wherupon he was relaxed the seventh day of May, upon hope that some good meanes might be wrought for his libertie in the meane time. He came to Lothiane. The Lairds of Lundie and Ormeston travelled with the regent for him, but could find nothing but rigour. In the mean time, the Lord Boyd, moved by the gentlemen of the west, had writtin to the regent in his favours. When Mr Johne returned to Air, the 29th of May, the gentlemen of Kyle conveened, where the regent's answere to my Lord Boyd was read. The effect of the answere was this—that he had beene requeisted by manie to continue the day, but had refused; yitt, for his lordship's requeist, he would doe it, providing he came in single, without convocatioun. As for the Assemblie, he would not have them to judge of that mater anie more, becaus, when he had committed it unto them, he found nothing but mockrie. The Lord Boyd advised them, by his letter, to move him to accept the conditiouns; but he no wise could be content. At last, the day being continued till the 17th of June, his soverteis solisted the regent for a new continuatioun. But for no solistatioun made, ather by noblemen, ministers, or soverteis, would he grant that favour. Therfore some brethrein advised Mr Johne to flee, which he did, and his soverteis payed the penaltie.

AN APOLOGIE OR DEFENCE MADE BY MR JOHNE DAVIDSONE, FOR NOT ENTERING THE 17TH DAY OF JUNE, 1574, IN THE TOLBUITH OF EDINBURGH, TO UNDERLY THE LAW.

"Becaus diverse men may diverslie judge of me, that I entered not to underly the law, as they terme it, at the day appointed, I have thought good to declare the caus of my non-compearance in writt; that als weill the godlie, who, perchance, might have beene somwhat moved with the mater, may be satisfied, as the mouths of the adversareis, who ever rejoice, and beginne to sing the triumphe, at the least appearance of overthrow of the truthe, or of God's servants, may be stopped. Which being knowne, nather sall the one, the godlie I meane, have caus, I trust in God, to be discouraged anie white, nather the others, that is, the enemeis, have anie caus to rejoice, or to thinke themselves in better cace through my absence; seing I absented not my selfe for that I distrusted, or beganne to mislyke my caus more than of before, or that by so doing, I purpose to denie, or recant anie jote or syllab writtin in that booke, untill the time the adversareis be able to convict it by the Word of God, or good reasoun, (to the which I ever submitted myself;) which I trust in God sall be found difficill to them to doe, notwithstanding the great bragging of some doctors, who have opened their packe, (as we say,) and sold small wairs. Nor yitt absented I myself, for that God had not granted unto me sufficient strenth to have biddin the uttermost that could have beene used against me; the Lord make me thankfull for it, who leaveth me not in the day of my trouble. For, as He put the worke in my hands, (most vile wretche,) so granteth He strenth, (praised be his name,) to susteane whatsomever can be layed to my charge for the same; letting me feele by experience the sweetnesse of that loving promise, 'I sall be with thee;' which, indeid, is more confortable to me nor if I were guarded with a thowsand men of warre. None of these things spokin, I say, stayed

me from entering at the day appointed, but thir causes which follow:—

The First Cause.

"And, First, we are taught in the Scriptures of our God not to tempt the Lord our God; which we may doe sindrie and diverse wayes, and cheefelie when we cast ourselves in present danger, without the expresse command of God: as, if Christ sould have cast himself doun over the pinnacle of the temple, at the intysing of Satan, he had tempted God. And if Paul sould have entered in the tolbuith of Ephesus, among the enraged craftsmen stirred up by Demetrius, he sould have tempted God; becaus there was present danger, and he had no commandement of God to enter in among them. So, if I had entered that day, where there appeared present danger, not having the command of God for my warrant, I sould have done nothing ellis but have tempted God, which never entered in my heart. As for the danger, it might have beene greater nor ather the pursuers, or yitt the favourers looked for; and, altogether, it wanted not an outward face of danger. To me, a single man, without all force worldlie, to have entered where, on the other part, were conveened a number of armed men of warre, to have convoyed me at their pleasure where ever they had beene appointed, and that at commandement of the supreme power, I thinke no man could have justlie commended me, or approved my fact; but altogether have compted it foolishenesse, and a tempting of God on my part, if so I had entered, not having the reveeled will of God for my warrant. For he that hath the command of God for him, ought not to stay for anie danger, howbeit never so imminent or perellous. For Paul's journey to Jerusalem and to Rome was not without extreme danger, as the end declared; for he was caried prisoner from Jerusalem to Rome, where he suffered death by Nero, as histories doe report: which great troubles he also foresaw in the Spirit; yitt left he not off to go thither, becaus he had the will of God reveeled to him to that effect: and,

therefore, in obeying the will of God, he no wise could be said to tempt his God; for, as it is the Word of God that sanctifieth all the actiouns of our life that are framed to the same, so, nothing that we doe beside this Word can be acceptable or pleasant to our God. So now, I think, it is evident that I had just caus of non-compeering that day.

"But yitt, it may be said, it is the will of God, (as we have in Peter,) that men be readie to give accompt of their faith, and of that hope that is in them, when and wheresoever they are charged thereto. I answere, though the mater wherewith I am charged be not directlie a mater of faith, yitt so it dependeth and proceedeth of faith, that I am bound to give a reckoning of it. But my compeering that day was not to have givin a reasoun of my doings, but to have underlyed the censures of suche as altogether were ather enemeis to my caus, or, at the least, had little or no judgement at all concerning the mater wherof I was to have been accused. For I gave accompt of the arguments of the booke, and of what minde I made it, five times before, in presence of the regent and counsell. Where, if my faithfull and simple confessioun, yea, and purgatioun, might have had place, to witt, how I made it for discharge of my conscience onlie, and for the profite and libertie of Christ's kirk within Scotland, and not to defame anie person or persons, or to raise anie seditioun within the bowells of this commounwealth, (as most unrighteouslie by some I am accused;) I say, had this my simple and faithfull purgatioun takin place, the mater might have takin an end, ere it sould have come to suche an heed, as to have preassed me with entering to a day of law, as I had beene a stubborne malefactor. But no purgatioun or confessioun upon my part was able to stay their proceedings. And, therefore, seing suche extremitie used against me, who, in my judgement, deserved not the same, I could not have assurance out of the Word of God to enter, to underly their censures, whose proceedings in judging could not be without vehement suspicioun, unlesse I would have tempted God; which be ever farre from me.

"The Secund caus of my non-compeerance was, the avoiding of

an inconvenience which, appearandlie, might have ensued upon my entering, howbeit not offered on my part. That was, a stirre and tumult among the people, which, God is my witnesse, was the thing I most feared; howbeit I be most wrongouslie accused and burthenned by some, (God grant them repentance, if it apperteane unto them,) that I meane nothing but seditioun and tumult among the subjects of this realme. And, at the least, my worke is to no other thing. But I must be content to be in the ranke of my brethrein, who have spokin the truthe from the beginning; who, speeking the truthe, have ever beene called and reputed authors of seditioun, and troublers of commounwealths. For who (I pray you) troubled Israel, in Achab's judgement and Jesabel's? None but Elias, and the servants of God. And yitt, we are assured, he spake nothing but the word of the Lord, and did nothing but as the Lord commanded. Why sould he be called a troubler? Who was called the author of seditioun and tumult that was at Ephesus? Who but Paul? And what did he? He said, they were not gods that were made with hands. And was this the caus, or could it be the caus, of that tumult? I thinke, no man in thir dayes will say it; but rather, that Demetrius and his marrowes (who would not suffer this to be said) were to be compted worthilie the authors of that seditioun and tumult. Manie like exemples are there; but thir are sufficient to prove how God's servants, for speeking the truthe, have ever beene compted seditious, and troublers of the estat of realmes. And this is a great confort to me this day, who, having spokin nothing but truthe, (as I understand,) am compted a seditious person.

"But least the adversareis object and say, I would be faine fellow to good men, (as we say,) and would reckon my self in the number of these who have suffered injurious calumneis for righteousnesse, lett us examine what I have done; and so it sall more easilie appeare, if rightlie I have reckonned myself in the number of the servants of God or not. I have writtin, that foure parish kirks are over great a charge for one minister; and, therefore, the order that would appoint so manie, or moe, to one man, to be

evill, and consequentlie devilish. If this be true or not, men may easilie discerne. But if no other reasoun nor argument can be able to move men to beleeve that this is true, I thinke they will not be so senselesse and voide of understanding, but they will give place to that invincible and most strong argument, called experience. But lett the ministers who have travelled since the appointing of this order at foure or moe kirks be demanded, *bona fide*, how they have profited in their doctrine since, and I thinke yee sall receave a resolutioun to all arguments of *interim*, and that he sall have the charge but of one kirk, and oversee the rest as he may, with the rest of these frivolous clokes that are brought for establishing of this order; and, on the other part, aske at the auditors what they have learned, or what good order or discipline hath beene among them since this order tooke anie place; and, I thinke, my maisters, debaters of this order, sall find it suche an *insolubile*, that all the solutions of *Scotus Subtilis* sall not be able to loose it. So, I think now, except men will not confesse the plaine truthe which they see with their eyes, they must confesse that I have spokin the truthe; for so it hath pleased God to justifie his truthe, though uttered by the penne of a sober instrument. This reasouning, I grant, is not διοτι, but ὁτι, from the effects and experience; and not from the causes and deepe grounds that may weill be brought out of the Word. And yitt, for writting of this, which experience teacheth to be true, I have beene proclamed at mercat croces an arrogant, ignorant, and seditious person: but how justlie, lett the whole world judge.

"Yitt because the clocke of *interim* appeareth to make something for them that accuse me, by digressioun I would tuiche it a little. And, first, I would speare at thee, who devised this *interim*, how long ordeanned thou this *interim* to last? Thou will say, Whill moe ministers will be gottin. If I speare, When will that be? I thinke thou sall have thy answere to seeke, except thou will say, When God sall stirre them up. And if I speare, *When* God sall stirre them up? I thinke, *meta non loquendi*, sall be the last refuge; for it is a plaine mockage of God to thee to say, thou will wait whill God

stirre them; and, in the meane time, whill God giveth thee power, thou doeth not provide the ordinarie meanes which God hath appointed to make their number increasse, but rather stoppeth thy eyes when the true way is showin. God sall be avenged of this mocking of his Majestie, except true repentance speedilie follow, in despite of Satan, and all the pride and craft of man. But I thinke the libertie of conscience in France, granted by an *interim*, and manie suche like slights of Satan, under colour of an *interim*, might teache us sufficientlie what good stuffe this *interim* hath ever brought to the kirk of God. For, grant to the devill once an inche, and he will clame to him a span, and will be loather to losse his possessioun nor the rankest robber in Annerdaill. As for them that answere, that the minister sould be called minister but of one kirk, and oversee the rest as he may, *latet anguis in herba*. If thou would eschew the gravitie of the sicknesse, *principiis obsta*, which was ay a good rule of medicine.

"In this apologie, some things are added to the words of the first booke; but lett them be assured, howbeit the first booke be burnt, as it were, and buried in oblivioun, Baruch sall gett another booke to write, wherin all the words—not onlie the mater, but the verie words—of the first booke sall be writtin, without amendment follow, wherunto moe words sall be added nor were written in the first booke. Which, when it sall be done, I trust in God, what trouble sall ever follow, the writter may justlie say, with the prophet, 'It is not I that trouble Israel, but thou and thy father's house.' So, now, I thinke, by this discourse it is manifest, that the booke writtin by me can not be called justlie the cause of anie tumult, seing there is nothing conteaned in it but truthe, which this day, by experience, is found to be over true. And as for my behaviour, both before, at the day, and sensyne, I trust no man can esteeme me to have beene seditious; for, indeid, I left off meanes which were lawfull unto me, and that for avoiding of occasioun to the wicked to speeke against me: for, as the apostle sayeth, 'Though all things be leasome to me, yitt all things are not expedient.' For, indeed, it becometh the servants of God to be very war and cir-

cumspect, that they give no occasioun to the wicked to speeke against them; or rather, to blaspheme the truthe in their persons, seing they are so readie to ascribe the occasioun of all trouble and seditioun to the servants of God; howbeit of all men they love peace and tranquillitie best. Peace, I say, in God; for to shake hands with the devill is no peace at all, lett men terme it peace so oft as they please. And, therfore, that I might avoide even the appearand occasioun of slaunder, I did not enter, seing so evident arguments of a tumult to have followed; howbeit, as God knoweth, I had beene wytelesse of the same. For the rigorous persute of me, on the one part, by the magistrat supreme, and the raising of the hearts of the godlie at the same, whispering of tumult among the multitude on the other part, could not have ended with quietnesse, if I had entered. So farre as in me lay, I tooke away all occasioun of appearance, on my part, that any tumult sould follow:—which was the secund caus of my non-compearance.

"The Thrid and Last caus was, the expresse command of our Maister, Christ, saying, 'When they persecute you in one citie, flee into another;' the practice of which commandement we find in the most deere servants of God; as in Jacob, from the face of his brother Esau; in David, Ellas, Paul, yea, and in Christ himself. But one might say to me, Call ye the executioun of justice persecutioun? Yee were summouned to underly the law, according to justice, which cannot be called persecutioun. I answere, I call not the due executioun of justice (which all good men ought to mainteane) persecutioun; but I call the persute of an innocent man, under the forme of executioun of justice, (when nothing lesse than justice is meant to him,) a most craftie and mightie kind of persecutioun; becaus the outward face of justice deceaveth manie, and maketh the partie persued the more to be abhorred; and so, his persecutioun to be the more greevous. And this kinde of persecutioun was not invented of late yeeres by Satan against the servants of God. For Daniel, that faithfull man of God, as we may read, was cast in the lyons' denne, becaus he had transgressed the act and statute made by the king and counsell; Elias was putt to flight,

becaus he was thought a seditious person, and troubler of Israel; Christ, our Maister, was condemned to death, by an externall forme of judgement and law, as a seditious mover of the subjects against Cæsar. How, (to be short,) the apostles, as we may read in the Acts, and the servants of God, from time to time, as among ourselves, Mr George Wishart and Walter Mylne, were most cruellie persecuted, and that under forme of justice, is more nor manifest. Wherefore, it is not to be thought strange, that I call the summoning of me to underly the law, (as they terme it,) persecuting of me, as if no wrong could be done to anie, under colour of justice; for, as I have declared, there is no meeter meane to oppresse innocent men.

"But heere it may be said, God forbid that we sould thinke that the magistrats present, and the counsell, who have beene, and are professors of the Word of God, would meane anie persecutioun of you, by this summoning of you to underly the law. It becometh rather to judge weill, that they sute nothing but justice indeid to be executed, as effeirs, which no wise can be called persecutioun, as yee meane. I answere, It becometh us to judge weill of all men, and cheeflie of the magistrat. And God knoweth, and good men, with whom, hitherto, I have beene conversant, how I have ever judged of the magistrat present, as became a Christian subject, and also of all other magistrats that have beene in this realme. But howbeit, (as the Searcher of hearts knoweth,) greevous it is to me, yea, most greevous, that suche a cative worme as I sould caus my mouth to speeke of that most worthie and excellent estat of princes and magistrats; and how loath I am unto it, and what a battell my feare-full flesh hath with it, my conscience beareth me witnesse; yitt darre I not conceale that which is patent to the sunne and to the moone, since so it is offered by the mater to me to speeke, that I cannot passe by it. And heere I tak heaven and earth to witnesse, that from my heart I wish that I had not the occasioun to speeke, which (alas!) to all men is too manifest. God amend it at his good pleasure!

"Then, to declare the mater *ab ovo*, (as we say,) so truelie and so shortlie as I can, first, I shall show what hath beene my part in

the mater; and then, their proceedings against me I leave to be judged by the discreet reader, if the processe used against me may be justlie called executioun of justice, or rather persecutioun. The questioun being in this countrie concerning foure kirks to one minister, and they that had the affirmative part likelie to prevaile, but no finall conclusioun tane in the mater, (as the voting of it again at the Generall Assemblie last holdin at Edinburgh, the yeere of God 1573, plainlie proveth;) the mater, I say, thus being in deliberatioun, and so disputable, moved of conscience, after long delay, with incalling of the name of God, that I sould write nothing but that which tended to his glorie and the weale of his kirk, I putt my hand to the penne, and wrote the reasouns of both sides, so farre as God ministred unto me knowledge; and that in poesie, in our owne naturall tongue, under the forme of a dialogue, which kinds of writting are least subject to sharpe and rigorous censure. For the poet sayeth, *Pictoribus atque poetis quidlibet audendi semper fuit æqua potestas;* and Plato, we know, wrote all his works almost in forme of dialogues, that he might tuiche things the more freelie, as Erasmus weill observeth. So, after reasouning on both parts, according to my sober knowledge, I made one of the interlocutors to conclude on the part which, by reasoning, he had obteaned, and to which my heart and conscience inclynned, where, in the end or epilogue, *aliquot motus vehementiores*, were interlaced, *ad excitandos auditorum animos*, according to the custome of orators, as they find occasioun.* Against which stile, I thinke it sall be hard (if they will handle me schollasticallie) to find anie law of schooles. And if they will seeke anie civill or municipall lawes to convict me by, I thinke they must sitt doun and write them of new; for I beleeve the law be to write yitt, whereby they may convict me or my booke.

"But to proceed: After I had writtin it in the maner forsaid, I conferred with some godlie and learned men upon it, who liked it weill. Therafter, willing to doe all things with order, I copied some copies of it, and sent them to foure severall learned and godlie men to judge upon; and with that, purposed to have writtin a

copie authentick, and have presented to the Assemblie Generall nixt following, that they might understand by writt what I thought of the mater, before they sould conclude anie thing, thinking then, my conscience to have beene discharged, howsoever they proceeded therafter. And this I thought lawfull to me, seing I was no preacher, to utter the mater in pulpit, nor might not be present at the Assemblie my self, for my daylie vocatioun wherin I was occupied. But when I had used all the ordinar meanes I could, God would have it otherwise come to light nor I proponned; for becaus, often times in ordinar working, man useth to impe a peece of his owne device and policie, which would stay the will and purpose of God; therefore, ere his will sould be undone, he will rather use meanes extraordinarie to bring the same to passe; as we plainlie may see in the slaughter of Agag, who had not been slaine, if that he had abiddin, whill the judge ordinar, that is, Saul and his counsell, had concluded the same. But God made his will to be executed, although by extraordinarie meanes. So, it might have beene, that the booke had beene unprinted yitt, if the counsell of the Assemblie had gone on before. But God, who foresaw the hearts of men, preveened the mater by his owne working, without the counsell of man; for I am assured, the verie printing of it was a worke of God, which sall tend to his glorie and weale of his kirk, as alreadie we have some experience, and, I doubt not, sall have more.

"Nather let anie thinke, that this way I would excuse my negligence in the mater; for I am assured I used all meanes ordinar, as could be thought meete for my lawfull defence in the mater. For both I committed the booke to suche a trustie bearer as I would have wished, or as anie man would have devised; and also, I directed it to suche trustie persons as nather rashlie nor negligentlie would have handled the mater. And yitt, for all this surenesse that I thought on everie side, God would have it otherwise; which can be ascribed to no other thing, nather to my will to have it printed, nather to my negligence in handling the mater, but onlie to the good providence of God, who put the worke in my hands; and so it came to print, and was printed without my expectatioun or

knowledge: after which, I being summouned, and compeering before the regent's Grace and counsell, five severall times, where I exponed the mater at lenth as it stood indeid, and what was my minde and purpose in the same; notwithstanding of which, I could find no favours, but first was putt in the guardhous in Hadinton, where the justice airs were keeped for the time; therout of, convoyed by southland borderers to waird in Clerkington; out of waird by the self-same borderers, also convoyed to Edinburgh, where it behoved me to find sovertie to enter at the nixt Assemblie. Entering there, receaved no answere, but holdin in suspense. After this, again summouned to underly the law, the thrid of Junie, not knowing of it, becaus I was not personallie apprehended, being in the meane time in Galloway with Robert Campbell of Kingzeancleuche, that singular servant of God, where he departed this life, not wishing to live anie longer, from the time he saw suche handling of God his servants in this realme, where God had reveeled himself so manifestlie. Therafter, putt to the horne, was relaxed from the same, the Laird of Carnell in Kile, and Andrew Ker of Fadownside in Tiviotdaill, two faithfull and zealous gentlemen, being soverties for me, to enter the said thrid day of June in the toun of Edinburgh, the Laird of Carleton also a sovertie for me; whose great travells, costs, and expenses in the mater, I doubt not but the Lord, for whose caus they did it, sall recompence abundantlie. So, being relaxed, thir gentlemen, with sindrie other nobles, erles, lords, barons, and gentlemen, conveened to have the mater tane up, or, at least, the day continued, but could obteane nothing at all; till at lenth, when the day approached, God found the moyen that moved his Grace's heart to continue the day unto the 17th day of the said moneth of Junie, I entering in the Tolbuith of Edinburgh the thrid day, and finding the same gentlemen soverteis who were before; thinking, in this meane time, to have gottin some good appointment in the mater. But for no sute could the day be gottin continued anie longer, muche lesse, the mater finallie tane up; but the day must hold fordward, the regent's Grace professing himself partie against me, poore worme, desiring

to understand what he was in Scotland would mainteane me; not suffering anie man to enter with me in my defence in anie wise, as the custome is, that they who sould underly the law sould have their freinds present, and men of law to debate the caus; but it behoved me to compeere simplie, as his owne writtings beare. As for members of court, suche as Justice-Clerk and Advocat, they were my conjured enemeis in this cace, and damned my booke both privatlie and publictlie. And last, my assise was chosin of the most suspected Papists of the realme, for the most part, against whom, being erles, lords, and landed men, I doubt if my lawfull exceptioun sould have had place. What justice was meant by choosing of suche an assise, lett men of anie judgement consider.

"To amplifie this heed, and aggredge it as I might, I will not, onlie leaving it to be judged of all of indifferent judgement. So now, what my part hath beene in this mater on the one side, and what proceeding hath beene used against me hitherto on the other side, I have declared; leaving it to be judged by the discreit reader, first, if I have deserved, that *summum jus* sould be used against me or not, and suche rigour as is shortlie forespokin; and nixt, if the proceedings used against me may worthilie be called the executioun of justice, or rather persecutioun. For suche proceeding of justice against me, a scholler, writting for discharge of my conscience onlie, and great offenders, yea, perturbers of this commoun wealth escaping all judgement, cannot want vehement suspicioun of injurie. But yitt, some say, What sall be done in the mater? All meanes have beene used for triell of the booke, and yitt sufficient declaratioun of it could not be had; for it hath beene before the counsell, and also was remitted to the kirk. So, having no resolutioun of them, there resteth nothing but the law to discusse it. In answere, All that maketh the mater more suspicious, that nather the kirk nor the counsell finding me culpable, that yitt, the persuers could not be satisfied, but would use all extremitie. For I beleeve few of the counsell of Scotland damned me or my booke, or yitt found fault with it, except some Gratoes, who cheefelie medled with it; who, if they were weill examined themselves what hath beene

their part hitherto, since religioun entered in among us, both in the king's caus, and all other good actiouns, skarslie would they be suffered to come in the king's palace; muche lesse to be one of his Grace's Secreit Counsell, or judge upon maters concerning his royall crowne. And so, howbeit they have damned it, it is not the more damnable, nather like I it the worse. As for the kirk, it is plaine they damned it not, but rather approved it; howbeit they thought by oversight of it, as it were, not plainlie justifeing it, to mitigat the anger of the magistrat; as the nixt Generall Assemblie, holdin at Edinburgh the sixt of August 1574, manifestlie beareth witnesse, where the booke was justified, and all the arguments of the same. So, it may be seene how just caus there was to intend actioun of law against me. If they will object to me, that I, a privat man, have published a bôoke against the acts of counsell and kirk, I answere, I nather published the booke, nather was there an act contraveened by the booke."

The said Mr Johne wrote this letter following to the regent, from Argile, in November 1574:—

"Seing it hath pleased the goodnesse of my God, by meanes of the troublous estat which I almost have susteaned now a yeere bypast, for writting and speeking of that which is the truthe, to thrust me out, an unworthie worme among worthie brethrein, to beare the glorious message of his deare Sonne to this unthankfull generatioun that hath begunne to forsake God, and follow their owne wayes, I have thought good, before I find fault with your Grace's proceedings publictlie, first privatlie by writt, (becaus, otherwise, presentlie I have not accesse to your Grace,) to desire your Grace earnestlie in the name of God, to call to minde how that God, in all ages, and in all places, hath powred furth his terrible judgements upon all these that have oppouned themselves to his kirk, or otherwise troubled the same. For howbeit God, for the triell of his owne, hath suffered the wicked, at sindrie times and in sindrie places, to trouble and vexe the kirk, which is understood by Jerusalem, yitt in the end it hath happenned unto them, which useth to happen to putters of a heavie stone which exceedeth the strenth of the put-

ters; which, howbeit some lift to their knee, some to their hainche, yea, some to their shoulder, as they are of strenth and abilitie, yitt are they not able to deliver it from them, but are bruised with it; and the higher they hease it, the more suddanlie are they bruised in powder by the same. But becaus your Grace hath heard oft times this heed of doctrine, and also hath seene and heard the truthe of it by experience in your owne Grace's time, both at home and in forrane natiouns, I will not trouble your Grace, by amplifeing the same with examples of Scripture, as I might at lenth. The end wherefore I writt this is, that your Grace may be plainlie admonished, for the discharge of my conscience, to desist in time from troubling the Kirk of Christ within this realme, wherewith your Grace (I darre not flatter) hath begunne to tig (as we say) too roughlie, als weill in calling the authoritie of the same in doubt, which God hath established by his Word, as also in troubling and persecuting me, a member of his kirk, for truthe and righteousnesse' sake. For, had I not beene assured that my actioun was just and upright, yea, and had I not beene assured of the defence of my God in the same, I had recanted everie word at my first examinatioun. Wherefore, I exhort your Grace, in the name of the eternall God, to desist in time, whill God mercifullie calleth your Grace to repentance, from farther medling with the poore Kirk of Christ, in suche maner, or with anie member of the same. Which if your Grace obey, there is mercie sufficient in store for your Grace. But if your Grace stubburnelie or disdainfullie will refuse, trusting ather in riches, wisdom, or confederacie, (which God forbid,) God sall provide for his owne; and destructioun both of soule and bodie sall follow, upon the contempt, and that but tareing. So, this farre have I privatlie writtin for discharge of my conscience, taking heaven and earth to witnesse, what plague that ever sall follow your Grace is plainlie forewarned. Thus, committeth your Grace to the protectioun of God; craving God daylie, that it will please him to grant your Grace a sight of your estat, and zeale to sett out God's glorie, howbeit some soullesse flatterers would

perswade the contrare of me to your Grace. And your answere, if it be your Grace's good pleasure."

THE REGENT OPPONETH TO EXECUTION OF DISCIPLINE.

About this time, Robert Gourlay, an elder of the kirk of Edinburgh, was ordeanned to mak his publict repentance in the kirk of Edinburgh, upon Fryday, the 28th of May, for transporting wheate out of the countrie. The regent being advertised, answered for him when he was called on to utter his confessioun, and said openlie to the minister, Mr James Lowsone, "I have givin him licence, and it apperteaneth not to you to judge of that mater."

MR A. MELVILL HIS RETURNE.

Mr Andrew Melvill came home a little before Lambmesse. He went to France, after he had past his course of philosophie, and heard Turnebus, Petrus Ramus, Mercerus Salignacus, Baldvinus the lawyer, and other professors. He grew so expert in the Greeke, that he declamed in Greeke with suche readinesse as was mervellous. From Parise he went to Poictiers, where he regented in the Colledge of St Martiall three yeares. From Poictiers he went on foote to Geneve, careing with him onlie an Hebrew Bible at his belt, leaving the rest behind him. Beza perceaved him a scholler, and the toun having need of a professor of humanitie, he was putt to triell within two or three dayes, and without further delay placed. He remained in Geneva five yeeres, where he heard Beza, Cornelius Bonaventura, professor of Hebrew, Chaldaick, and Syriack, Portus, a borne Grecian, Professor of the Greeke tongue, and Hottomann, the renownedest lawyer in his time. When the Bishop of Brechin and Mr Andrew Polwart had stayed a while in Geneve, with great difficultie did Mr Andrew purchase dimissioun to come with them. Beza, in his letter to the Generall Assemblie of Scotland, wrote, that the greatest tokin of affectioun the Kirk of Geneve

could show to Scotland was, that they had suffered themselves to be spoiled of Mr Andrew Melvill, that thereby the Kirk of Scotland might be enriched. He came to Edinburgh a little before August, bringing with him to his countrie a plentifull treasure of good letters, wherewith he enriched the nation, within few yeeres, in greater measure than ever it was since it was a kingdome. The sommer following, his librarie was brought home, riche with the rarest authors in arts and sciences. The instruments declared what the craftsman was. So God blessed the travells and studies of this man, left the youngest of nyne brethrein, when their father, Richard Melvill of Baldovie, was slain at the feild of Pinkie, in the Erle of Angus his avant-guarde.

MR A. MELVILL REFUSETH TO BE THE REGENT'S DOMESTICK.

Soone after that Mr Andrew Melvill returned to this countrie, the regent directed Mr George Buchanan and Alexander Hay to deale with him, to be content to be my lord regent's Grace his domestick instructor, and to give some few notes upon the chapter when it was read, for which service he sould be honourablie advanced at the first occasioun. The regent's intention was, to have him and his gifts framed to his purpose, that is, to restraine the freedom of applicatioun in preaching, the authoritie of the Generall Assembleis, and to bring in conformitie with England in the church governement and injunctiouns, without which, he thought, he could not governe the countrie to his phantasie, nor that agreement could stand long betwixt the two countreis. He tried men of best gifts first at court; and if he found they would serve his purpose, his intentioun was to advance them to bishopricks. Howbeit, Mr Andrew was not acquaint with his purpose, yitt was not willing to serve at court, but rather to professe in some universitie. At the Assemblie following, the Commissioners of Fife made sute for him to be sent to Sanct Andrewes. But by the earnest dealing of Mr James Boyd, Bishop of Glasgow, and Mr Andrew Hay, he was

moved to goe to Glasgow, and heare what conditiouns sould be offered to him.

THE TWENTIE-NYNTH GENERALL ASSEMBLIE.

The Generall Assemblie conveened in the upper tolbuith of Edinburgh, the 7th of August. Johne Duncansone was chosin Moderator.

TRIELL OF BISHOPS, SUPERINTENDENTS, &c.

In the triell of bishops, superintendents, and commissioners, the Bishop of Glasgow granted he had not exactlie done his duetie; alledging the caus thereof to have beene, his occupatioun in temporall effeires of the bishoprick, and hearing ministers preache at their owne kirks; but promised amendiment in time comming.

The Bishop of Dunkelden being compleaned upon for simoniacall pactioun with umquhile Archibald Erle of Argile, answered, that my Lord of Argile had compelled him to give certan pensiouns furth of the bishoprick, which he had revocked sensyne. As for not excommunicating the Erle of Atholl, as he was injoyned in the last Assemblie, he could alledge no lawful excuse.

In the secund sessioun Mr John Keith, Parson of Duffus, and Deane of the Chapter of Murrey, was demanded, whether he knew in conscience that the approbatioun and testimonie givin to the Bishop of Murray of his life, doctrine, and good behaviour, was true, as it was sett doun in the processe, and of what assured knowledge they gave it? He answered, that onlie upon report and bruite they gave testimonie of his conversatioun. Being demanded, whether all these who subscrived to his admissioun were present together, and heard his doctrine, and tried his conversatioun? he answered, that the triell continued three dayes, but all were not present everie day at the triell of his doctrine. But the last day, when they subscrived, all were present, except Alexander Wen-

chester. Mr Andrew Simsone, minister in Forresse, one of the said chapter, being demanded, answered, that upon the Lord's day, the 20th of December, the first of the three dayes, the whole chapter was present, except Mr Alexander Gordoun, chanceller of Murray, Donald Dow, and Alexander Wenchester; and upon the thrid day of his examinatioun all were present, except Donald Dow and Alexander Wenchester; and these that were present subscrived together. Mr George Hay, Mr Alexander Arbuthnet, and Mr Johne Craig, minister of Aberdeene, produced the processe exhibited by the Deane and Chapter of Murrey, the 26th of May 1574, concerning the admissioun of the Bishop of Murrey to the said bishoprick, together with their animadversions upon the said processe, which they desired to be registred in the bookes of the Assemblie. The Assemblie appointed Mr Johne Keith, Mr Andrew Simsone, and the rest of the chapter, to answere to these animadversiouns. Tenne were appointed by the Generall Assemblie to pronounce their deliverance, and answers upon the impugnations produced by Mr George Hay and his collegues, against the processe of admissioun and electioun of the Bishop of Murrey, and upon the replyes made thereto. The Assemblie, notwithstanding that the said bishop hath speciall interesse in the said caus, ordeanned, in the eight sessioun, a citatioun to be directed to summoun the said bishop, deane, and chapter, to the nixt Assemblie, and appointed John Durie, minister of Edinburgh, and Mr George Mackesone, solicitor for the kirk, to travell with the procurators of the kirk for libelling of the summouns against them, and to see that diligence be used for raising of the same.

In the same sessioun, the Bishop of Dunkelden was ordeanned to pronounce the sentence of excommunication against Johne Erle of Atholl, within fourtie dayes, under the paine of suspension from his office; which he promised faithfullie to doe. It was also thought good, that he forbeare the ministratioun of the Supper upon warke dayes. The Assemblie ordeanned Johne Brand, minister of Halyrudhous, under paine of deprivatioun from his office, to pronounce the sentence of excommunicatioun against Alex-

ander Bishop of Galloway, conforme to the act of the Assemblie made before, if he satisfie not the kirk betwixt and the first of August. By these, and sindrie like examples mentiouned before, we may see that bishops, brought in by the court, were of small accompt with the kirk; and als weill subject to the discipline and censure of the Generall Assemblie as the meanest minister in Scotland.

SUPERINTENDENTS AND COMMISSIONERS WILLING TO DIMITT.

The Superintendent of Lothiane dimitted again in the hands of the Assemblie his office of superintendentrie, partlie becaus he was unable to travell, partlie becaus he receaved no stipend the space of two yeeres bygane. The Assemblie requested him to continue till the nixt Assemblie, without hurt or domage to his persoun, and appointed Mr David Lindsey, minister of Leith, or anie two within his bounds he liked, to concurre with him; promising to procure for him, and others having the like charge, provisioun from the regent. The Commissioner of Cliddisdaill, Renfrew, and Lennox, resigned over to the Assemblie his commissioun, requeisting the Assemblie to provide another. The Assemblie desired him to continue till the nixt Assemblie. The offices of superintendentrie and commissionarie in these days were burthensome, and craved great paines, which bishops now would not willinglie undertake, if the Generall Assemblie had the same power over them now which they had then over bishops, superintendents, and commissioners.

THE FORME OF COMMISSION GIVIN TO COMMISSIONERS.

That the reader may perceave what was the power of commissioners, I have heere sett doun the tenor of the commissioun givin to Mr Johne Robertsone and Robert Grahame, Commissioners of Cathnesse, in the nynth sessioun of this Assemblie.

"At Edinburgh, the elleventh day of August, the yeere of God 1574 yeeres, the whole kirk presentlie assembled, in one voice and minde giveth full commissioun, speciall power, and charge to their

loved brethrein, Mr Robert Grahame, Archdeacon of Rosse, and Mr Johne Robertsone, Treasurer thereof, conjunctlie and severallie, to passe to the countreis of Cathnesse and Sutherland, and there to visite kirks, colledges, and schooles, and other places needfull, within the said bounds; and in the samine to plant ministers, readers, elders, and deacons, schoolmasters, and other members necessar and requisite for erecting a perfyte reformed kirk; suspend for a time, or *simpliciter* deprive suche as they sall find unworthie, or not apt for their office, whether it be for crimes committed or ignorance; abolish, eradicat, and destroy all monuments of idolatrie; establish and sett up the true worship of the eternall God, als weill in cathedrall and colledge kirks, as in other places within the said bounds, conforme to the order tane and agreed upon in the Booke of Discipline; and als, to searche and inquire the names of all these that possesse benefices within the saids bounds, at whose provisioun they have beene; and if anie vaike, or happin to vaike, within the commissionarie, to confer and give the samine to the persons qualified, and being presented by the just patrons of the samine, due examinatioun preceding; to reject and refuse suche as they shall find unable, and not apt thereto, as they will answere to God and the kirk thereupon: Their diligence to be done therein, with thir presents, to report them to the nixt Assemblie Generall, where it sall happin to be for the time. Givin in the Generall Assemblie, and nynth sessioun thereof; subscrived by the clerk of the same, day, yeere, and place forsaid."

COMMISSIONS.

Mr Robert Hammiltoun, minister at Sanct Andrewes, not compearing as was ordeanned, but sending his answeres to the Moderator, the Assemblie gave commissioun to the Superintendent of Lothian, Mr Robert Pont, Proveist of the Trinitie Colledge, Mr David Lindsey, minister at Leith, and the sessioun of the church of Edinburgh, together with anie three of the forenamed persons conjunctlie, to summoun the ministers, elders, and deacons of St Andrewes to compeere before them, and to trie why the Fast was

not keeped among them, according to the act of the Assemblie; and the violatioun of the Lord's day by prophane playes, and suche other things as they sall inquire of them at their comming; and what sall be done by them heerin, to certifie the brethrein in the nixt Assemblie. By this commissioun we may see how profane playes upon the Sabbath day were mislyked.

The Superintendent of Angus, Mr George Hay, Commissioner of Aberdeene, Mr Alexander Arbuthnet, Principall of the Colledge of Aberdeen, Mr Johne Craig, minister of Aberdeen, Robert Fairlie of Braid, James Heriot of Trabrowne, or anie three of them, had power and commissioun givin them to passe to my lord regent's Grace, and present to his Grace the heeds and articles which the Assemblie had putt in writt, to confer therupon; to require his Grace's answere, and to report the same to the nixt Assemblie, the Assemblie firme and stable holding, and for to hold whatsoever the saids commissioners, or anie three of them, doe righteouslie in the premisses, to the glorie of God and his kirk.

THE TENOR OF THE ARTICLES OF THE GENERALL ASSEMBLIE PROPONED TO MY LORD REGENT'S GRACE.

"In the first, that stipends may be granted to superintendents in all countreis destitut therof, whether it be where there are no bishops, or where there are bishops and may not discharge their cure; suche as the Bishop of St Andrewes and Glasgow.

"*Item*, That in all burrow touns, where the ministers therof are displaced, and serve at other kirks, that their ministers who served them of before be restored again, to await on their cures, and they be not oblished to anie other kirk; or ellis, that others be placed in the said touns.

"*Item*, That his Grace will give commissioun to certane gentle men in everie countrie, that incest, adulterie, witchecraft, and suche odious crimes wherewith the countrie is replenished, may be punished.

"*Item*, That in everie kirk destitut of ministers, that suche per-

sons as are present, and readie to be planted, be placed; and stipends granted, whose names sall be givin up by the bishops, superintendents, and commissioners.

"*Item*, In respect that, in the ecclesiasticall functioun, there are two onlie destined offices of teaching, the doctor that interpreteth the Scriptures, and the minister, to teache and apply the same, that his Grace will tak order, that doctors be placed in universiteis, and stipends granted unto them, whereby not onlie they who are presentlie placed may have occasioun to be diligent in their cure, but als, other learned men may have occasioun to seeke places in colledges within this realme.

"*Item*, That his Grace will tak order with the ministers, to whom there was restand awand by the collectors of the yeeres bygane, certan rests that may be payed.

"*Item*, That the saids commissioners travell with his Grace for Mr Johne Davidsone, tuiching his dialogue.

"*Item*, That his Grace will tak a generall order with the poore, and speciallie in the abbeyes, suche as Aberbrothe and others, conforme to the act made at Leith; and in speciall, to discharge tithe sybboes, leekes, kaill, unzeons, by an act of Secreet Counsell, whill a parliament be conveened, where they may be simplie discharged.

"*Item*, That his Grace will grant commissioun to certan persons in everie diocie to sitt in caces of divorcement, where the parteis are poore.

"*Item*, Becaus there are sindrie bishopricks vacand, suche as Dumblane, Rosse, and others, that his Grace will take order that some qualified persons be provided thereto with diligence.

"*Item*, Becaus there are diverse ministers whose cures are augmented, and stipends diminished, that his Grace will tak order therewith.

"*Item*, That his Grace will caus the books of the assignatioun of the kirk be decerned to the clerk of the Generall Assemblie.

"*Item*, Forsameekle as there are diverse bookes sett out by Jesuits and other hereticks, and erroneous authors, conteaning manifest contumeleis and blasphemeis against God and his reveeled truthe, and

yitt are daylie imbrought in this countrie by Poles, crammers[1] and others, to the heavie offence of the Kirk of God, that his Grace will provide remeid.

"*Item*, It is understood by the Generall Assemblie, by credible report of certan learned men latelie arrived within this countrie, that a Frenche printer of the best renowned this day, nixt Henricus Stephanus, being banished with his wife and familie from his countrie, hath offered to them to come to Scotland, and to bring with him three thowsand franks' worth of bookes, and to print whatsoever worke he sould be commanded, in so muche, that there sould not be a booke printed in Frenche or Almain, but, once in the yeere, it sould be gottin of him, if he might have sure provisioun of a yeerelie pensioun of three hundreth merks; which, indeed, is an offer so confortable to the countrie and kirk, that it ought not to be overseene: That his Grace will consider the same offer, and take order therewith."

In the tenth sessioun, the commissioners deputed to confer with the regent produced their conference *hinc inde*, in writt, which conference the Assemblie caused deliver to Mr George Mackesone, solicitor for the kirk, to be givin out in copeis to bishops, superintendents, commissioners, and ministers, as he sall be required, upon their reasonable charges. The copie of this conference we have not seene.

ACTS.

"Forasmuche as it is understood by the Assemblie, that diverse ministers within this realme use the office of collectorie and cham-

[1] The printing establishments of Cracow were at this time famous throughout Europe; but, in consequence of the rapid growth of Socinianism and Arianism in Poland, during the latter part of the sixteenth century, they became as active in the diffusion of heretical books as of treatises in favour of the truth. Being involved also in the persecution raised against the Protestants in that kingdom, the dispersed traffickers in heretical publications were to be found even in Scotland, where they were called "crammers," from the Polish word *kramarz*, a pedlar.

berlanrie, under bishops and other beneficed persons, wherethrough they are avocated from their cures, and give occasioun of slaunder, it is ordeanned, that from hencefurth no minister use or exerce the said office of chamberlanrie or collectarie, under whatsomever beneficed persons, least they be abstracted from their vocations; and that the controveeners be deprived of their office.

"2. Forasmuche as it is understood by the Generall Assemblie, that there are sindrie who committ adulterie with others men's wives, and, after deceasse of their owne wives, marieth them whom they had before polluted with adulterie, it is ordeanned, that bishops, superintendents, and commissioners of provinces, charge all suche persons so joynned to separat themselves, and to absteane from other, till it be decided by the judge ordinar if the said mariage be lawfull or not, under the paine of excommunicatioun to be executed against the disobeyers.

"3. It is ordeanned, that in the bookes of visitatioun which sall be presented to the Assemblie by bishops, superintendents, and commissioners of provinces, that the names of their kirks in particular be sett doun in the beginning of the saids bookes.

"4. It is ordeanned, that bishops, superintendents, and commissioners, that sall be found negligent in their office, not to execute their debtful charge in their visitatioun and teaching, or culpable in life, sall be punished and corrected according to the qualitie of their offences, ather by admonitioun, publict repentance, deprivatioun for a time, or deprivatioun *simpliciter*, as the Assemblie sall thinke good.

"5. Tuiching the petitioun of Mr Robert Pont and Mr Thomas Makcalzeane, two of the Senators of our soveran lord his Colledge of Justice, proponed in name of the said colledge, desiring the Generall Assemblie to provide that the readers at eache kirk note up the names of persons departed within their parishes yeerelie, and deliver the samine to the superintendents, to be exhibited by them at this Assemblie: It was found good, that the readers at everie kirk, present at the synodall assemblie the catalogue of the names of the persons deceassed within their parish, to their superintend-

ents, that the superintendents may report to the Generall Assemblie, to the end they may be delivered to suche as sall be appointed by the lords for receaving the same.

"6. It was ordeanned, that all suche persons as ather buy or sell, or mak anie other kinde of merchandice of benefices, ather directlie or indirectlie, sall be deprived of all functioun within the kirk, sall suffer the rigour and extremitie of all discipline, and sall lose the benefice for ever."

A COMMISSION TO REVISE BOOKES.

Forasmuche as, by printing and setting furth to light of works repugnant to the truthe of God's Word, or conteaning manifest errour, the weake may be seduced, the Assemblie gave power to Mr Robert Pont, Mr James Lowsone, Mr David Lindsay, David Fergusone, Johne Brand, ministers, and Mr Clement Littill, one of the Commissioners of Edinburgh, or anie three or foure of them conjunctlie, to visite and oversee all maner of bookes or workes that are offered to be printed, and to give their judgement therof, by their subscriptioun and hand-writt, for benefite of the reader; and this commissioun to endure till the nixt Assemblie. Mr George Buchanan, Keeper of the Privie Seale, Mr Peter Young, Pedagogue to the King, Mr Andrew Melvill, Mr James Lowsone, were appointed to revise Mr Patrik Adamson's paraphrase in Latine verse upon the Booke of Job, and, if they finde it consonant to the truthe, to authorize the same, with the testimonie of their hand-writt and subscriptioun.

Mr James Ritchie was chosin to be Clerk to the Assemblie, their scribe Johne Gray being deceassed.

COMMISSION TO INDICT AN ASSEMBLIE.

Becaus it was necessar, that incace there be a parliament, the Assemblie be resolved a space before in suche things as they are to propone, or incace of anie other weightie caus requiring necessari-

lie the conveening of the Assemblie, it was thought good that the Superintendent of Lothiane, Mr James Lowsone, and Mr David Lindsey, advertise the brethrein to conveene within a competent space before, as they sall thinke needfull, which conventioun sall be accompted an Assemblie.

MR A. MELVILL PRINCIPALL IN GLASGOW COLLEDGE.

Mr Andrew Melvill went to Glasgow about the first of November, where he found Mr Peter Blekburne, latelie come from Sanct Andrewes, entered in the colledge, and begunne to teache, conforme to the order of Sanct Andrewes. But Mr Andrew entering Principall, all the order was submitted to him. He permitted Mr Peter to have a care of the colledge rents, which then were verie small, consisting onlie of some annuells, and sett himself onlie to teache. He taught usuallie twise in the day. Beside his ordinar professioun of Divinitie and the Oriental tongues, he taught the Greeke Grammar, Ramus' Dialectick, Talæus' Rhetorick, Ramus' Arithmetick and Geometrie, the Elements of Euclide, Aristotle's Ethicks, Politicks, and Physicks, some of Plato's Dialogues, Dionysius' Geographie, Hunterus' Tables, and a part of Fernell. The schollers frequented to the colledge in suche numbers that the rowmes were skarse able to receave them.

M.D.LXXV.

THE THRETTIETH GENERALL ASSEMBLIE.

The General Assemblie conveened at Edinburgh in the Counselhous, the seventh of Marche. James Bishop of Glasgow was chosin Moderator.

TRIELL OF BISHOPS, SUPERINTENDENTS, ETC.

In the triell of superintendents, bishops, and commissioners, the Bishop of Murrey being removed, it was remembred by some bre-

threin that his electioun and admissioun must be first acknowledged, which was yitt undecided, before he be tried in life and doctrine as a bishop. Mr Johne Wynrame, Pryour of Portmooke, etc., Mr Andrew Hay, Commissioner of Renfrew, etc., Mr David Cunninghame, Mr Andrew Melvill, Principall of the Pedagogie of Glasgow, were appointed to trie the processe of his electioun and admissioun. They gave their judgement in the fourth sessioun. The bishop was called for, and demanded, if he had satisfied the act of the Assemblie concerning the purgatioun of the slaunder. He answered, that he compeered before the Bishop of Sanct Andrewes, now resting with the Lord, and satisfied the act; but could alledge no witnesses to prove his assertion. The General Assemblie, therefore, gave commissioun to Mr Johne Wynerame, Mr James Wilkie, Rector of Sanct Andrewes, Mr William Cock, Commissioner of Sanct Andrewes, to take the same purgatioun which he sould have made before the Bishop and kirk of Sanct Andrewes. Becaus he was presentlie under medicine, and might not travell, to give a prooffe of his qualificatioun, Mr Johne Wynrame, Mr George Hay, and Mr Andrew Melvill, were appointed to confer with him upon the heeds of religioun, and to report their judgment to the Assemblie. Mr Johne Wynrame, superintendent, reported, that the bishop was content to purge himself before him and the kirk of Sanct Andrewes, if it be not found in the bookes that he hath purged himself of fornicatioun before and since his inauguratioun; and becaus he is sickelie, and under medicine, so that he cannot presentlie give *specimen doctrinæ*, craved a delay. The Assemblie appointed the same commissioners to tak his purgatioun upon the slaunder before his inauguratioun, and to conferre with him upon the heeds of religioun. The bishop himself being present in the tenth sessioun, the Assemblie ordeaned him to purge himself before the commissioners deputed to that effect, and them to report his purgatioun, and their judgement of his knowledge in the Scriptures.

The Bishop of Brechin compleanned upon the Bishop of Dunkelden, that in the last Assemblie he sould have alledged he was

compelled by the umquhile Erle of Argile, now resting with God, to give out pensiouns, and desired it to be proved. The other offered in writt to give in his declaratioun, wherin he was preassed; and if he hath failed in termes, he sall referre to the Assemblie. The Assemblie appointed him to exhibite the declaration in writt.

The Bishop of Dunkelden being delated for not excommunicating the Erle of Atholl, answered, that the erle desired conference with some of the ministrie, for resolving of his doubts. The Assemblie granted. They reported, that he was not fullie resolved in sindrie heeds of religioun, and desired that he might have some farther conference; promising, upon his honour, that he sould assist the Bishop of Dunkelden, for punishing of offences within his bounds, and setting fordward of his synodall assemblies, and that no slaunder nor offence sould be found within his hous. The Assemblie assigned unto him betwixt and Midsommer to be resolved; otherwise, ordeanned the Bishop of Dunkelden to proceed against him with excommunication, under the paine conteaned in the Assemblie preceeding made therupon; and in like maner to proceed against his ladie.

The Bishop of Glasgow was compleaned upon, that sindrie Papists within his bounds joyned to the kirk outwardlie, but did not communicat. He promised to execute suche discipline against them as the Assemblie sould prescrive. Becaus the bounds belonging to his jurisdiction were so large that one man was not able to visie all the kirks, the Assemblie appointed Mr Patrik Adamsone and Mr Andrew Hay to visite certane parts and bounds limited in their commissioun.

The elect Bishop of Dumblane, Mr Andrew Grahame, sonne to the Laird of Morphie, presented to the chapter of Dumblane by the regent, the Assemblie desired him to give prooffe of his doctrine before the brethrein in the Counsel-hous, upon the text which sall be appointed by them to him. Some were appointed to trie him by questiouns. Becaus he was presented under name of a preacher, and yitt had not beene one, some moved a doubt. The Assemblie findeth, that it is not yitt decided that all bishops sould

be first preachers. Alwise, if he be qualified, that the presentatioun is to be obeyed. And yitt, for further triell, appointeth to him to exercise in the Magdalene Chappell, before the bishops, superintendents, and ministers, that may be present, and speciallie the ministers of Edinburgh, and so manie of the chapter as may be there, upon the beginning of the fyft chapter of the Epistle to the Romans.

Mr Alexander Hepburne, elect of Rosse, after visitatioun of the processe of his electioun, was ordeanned to give a new prooffe of his doctrine and literature, in presence of the Assemblie, upon the last part of the thrid chapter of Zacharie. He exercised before the greatest part of the brethrein, and his doctrine was approved with one consent.

Mr George Hay, Commissioner of Aberdeene, being compleanned upon, that he executed not discipline against haynous offenders, referred himself to his bookes of visitatioun.

Mr Patrik Adamsone, Commissioner of Galloway, confessed he had not used that diligence which lyeth to the full executioun of his office, becaus no stipend was appointed for the same, and yitt did, *pro virili*. This man could not worke without wages.

The Bishop of Galloway, Mr Alexander Gordoun, gave in a supplicatioun, wherin he declared, that he might not compeere before them when they had ordeanned him to be excommunicated; and craved to mak satisfaction without sackcloath, in anie kirk, speciallie within his owne jurisdictioun. It was disputed, whether, in respect of the alledged impediment, he ought to be heard to answere to the heeds of his accusatioun. In end, it was granted. The heeds of his accusatioun were read in his presence. He answered to the First, that he was compelled by the authoritie that then was to accept the ministrie, and was chosin by the flocke then present. To the Secund, he granted he preached the queen's authoritie to be lawfull, but ought to injoy the priviledge of the pacificatioun. To the Thrid, that he made prayers for her, or otherwise, would not have beene suffered to preache. To the Fourth, he denied the condemning and accusing of the ministers.

To the Fyft, confessed that he, with certane others, protested in parliament in the first regent's time, that incace the queene were sett at libertie, that their promise and faith were freed. The Sixt he denyed. After he had answered, he besought them to consider his cace, seing, in God's presence he damned his former offence. He was removed; and after long reasonning it was concluded, partlie upon consideratioun of his owne submissioun, partlie for the regent's requeist, he sould confesse his offences, in presence of the congregatioun conveened in the Abbey kirk, upon the Lord's day nixt to come, without sackcloath.

MR THOMAS MAKCALZEAN'S SUPPLICATION.

Mr Thomas Makcalzeane, one of the Senators of the Colledge of Justice, was debarred from the Lord's Supper by the kirk of Edinburgh, becaus he had remained in the toun in time of the late rebellioun, and had not submitted himself to their discipline, he being an elder. He gave in his supplicatioun, protesting he remained upon just feare, which might fall in a constant man, and upon compulsioun. Upon this declaration of his conscience, the Assemblie ordeanned him to compeere before the pulpitt of Edinburgh, in his owne gowne, to confesse his offence, and so to be receaved.

COMMISSIONS.

Becaus it was generallie compleaned by the brethrein, that the generall acts of the Assemblie, and sindrie questiouns decided, had not come to their knowledge, that none sould pretend ignorance, the Assemblie willed their brethrein, Mr Robert Pont, Mr Robert Matlane, Deane of Aberdeene, Johne Brand, Mr James Carmichaell, to peruse the acts of the Generall Assemblies, marke suche as are generall, that therafter they may be extracted out of the booke.

The Assemblie appointed Mr Robert Pont, Proveist of the Tri-

nitie College, Mr Andrew Hay, Commissioner of Cliddisdaill, Mr Patrik Adamsone, Minister at Pasley, Mr Johne Row, Minister at Sanct Johnstoun, Johne Duncansone, Minister to the King's Hous, Mr Andrew Melvill, Principall of the Pedagogie of Glasgow, Mr Johne Spotswood, Superintendent of Lothiane, or anie two of them whom it sould please my lord regent's Grace to nominat, to conferre with his Grace's commissioners upon the jurisdictioun and policie of the kirk, and to bring the copies of the said conference with them, that all provinces may have the use of the same, that they may be better resolved when maters sall come to open reasoning.

Forasmuche as a parliament is to be expected shortlie, the Assemblie giveth power to the ministers of Edinburgh and Leith to warne the bishops, superintendents, and commissioners of countreis, that they may warne the rest of their brethrein, to conveene and consult upon suche things as sall be thought good to be propouned in parliament, which conventioun sall be holdin for an Assemblie.

ACTS.

For redressing of the neglect of the exercise of prophecie, and negligence of bishops, superintendents, and commissioners not attending, the samine being so necessar a meane to the furtherance of sound doctrine, it is statuted and ordeanned, that all bishops, superintendents, and commissioners, within their bounds, be carefull and diligent to interteane the said exercise upon the dayes appointed thereto, and speciallie the Superintendent of Fife.

2. Forasmuche as the greatest part of the interpreters of the Scriptures have commented in the Latine tongue, the Assemblie hath concluded, that from this time furth none sall be admitted to the function of the ministrie by bishops, superintendents, and commissioners of countreis, but suche as understand the Latine tongue, able to interpret Latine commentars, and to speeke congruous Latine; except suche as, by examinatioun of the Generall Assemblie,

sall be found able, by reasoun of their singular graces and gifts, to exerce that functioun, without knowledge of the Latine tongue.

3. Seing it becometh the true messengers of the word of salvatioun, not onlie to beare in their conscience a good testimonie of unfained humilitie and simplicitie of heart, but also, in externall habite and behaviour, to represent the sobrietie and humilitie of their mindes, that the mouthes of this godlesse generatioun, which are opened to blaspheme the godlie calling of the ministrie, may be shutt up from just occasioun of slaunder, it is ordeanned by the determinatioun of the whole Assemblie, that all that serve within the kirk, apparell themselves in a comelie and decent maner, as becometh the gravitie of their vocatioun; and that they conforme their wives and families therto, that no slaunder nor offence arise to the kirk of God therethrough. Johne Areskine of Dun, Mr Andrew Hay, Mr James Lowsone, Mr Johne Wynrame, Mr George Hay, were appointed to advise upon the particulars which were to be eschewed in apparell.

4. Forasmuche as it is considered that the playing of clerk-playes, comedeis, or tragedeis, upon the canonicall parts of the Scriptures, induceth and bringeth with it a contempt and profanatioun of the same, it is thought meete and concluded, that no clerk-playes, comedeis, or tragedeis, be made upon the canonicall Scriptures, ather New or Old, in time comming, ather upon the Lord's Day, or upon a worke day: that the contraveeners, if they be ministers, be secluded from their functioun, and that others be corrected by the discipline of the kirk. It is likewise ordeanned, that an article be givin to suche as confer upon the policie, that comedeis, tragedeis, and other profane playes, which are not made upon authentick parts of Scripture, may be considered before they be acted publictlie; and that it be not acted on the Lord's Day.

5. The Assemblie referreth to bishops, superintendents, and commissioners of countreis, against ministers proceeding to the mariage of parteis, lawfull impediment being propouned, which after is found to have beene truelie alledged.

6. The Assemblie ordeanneth an article to be givin in to them

that reasoun upon the policie and jurisdiction of the kirk, that a law be made, that no bishop be elected to a bishoprick by the chapter before he give prooffe of his doctrine before the Generall Assemblie, and triell to be takin by them of his doctrine, life, and conversatioun. The brethrein that had travelled in the policie and jurisdictioun of the kirk were appointed to confer their travells, and after, present the same to the Assemblie. In the meane time, the Assemblie dischargeth and inhibiteth all chapters to proceed to the electioun of anie bishop without triell takin before of his doctrine and conversatioun before them, and testimoniall of their report, that therafter the chapter may proceed.

7. Forasmuche as sindrie who were Papists have, since the act of parliament, made confessioun of their faith, and yitt have not participat of the Lord's Supper, pretending vaine excuses, whereby it appeareth they were never truelie converted, it is ordeanned, that bishops, superintendents, and ministers, in all parts, admonishe the saids persons to participat with the rest of the congregatioun; and, if they disobey, to proceed against them, as relapsed, with the sentence of excommunicatioun.

THE HAMMILTONS' SITHEMENT TO ANGUS.

Upon the seventh of Marche, the Lord Hammiltoun, and Claud, Abbot of Pasley, made publict sithement[1] to the Erle of Angus, in the palace of Halyrudhous, comming the whole bounds of the inner court bare-footted and bare-headed; and, sitting doun on their knees, delivered him the sword by the point, for the slaughter of Westerraw. This reconciliatioun greeved speciallie William Dowglas of Lochlevin, who desisted not from persute of the slaughter of his brother, the Erle of Murrey. He persued the Lord Hammiltoun, comming from Arbrothe, so that he was constrained to retire to Arbrothe. Another time, when he was ryding through Fife, he constrained him to flee to Dairsie, and lay about it till the regent sent and charged them to depart.

[1] Satisfaction.

A DAY OF TRUCE.

Upon the seventh of Julie there was a day of truce holdin at Reddinburne, where the wardans of both marches mett, but could not agree. From words they fell to strokes, and manie (were) slaine on both sides. There was another meeting appointed by the Queene of England and the regent the 23d of August. They agreed, seing the slaughter was equall on both sides, and the regent promised to rander the goods demanded, or the persons themselves, who were bound to rander.

THE THRETTIE-FIRST GENERALL ASSEMBLIE.

The Generall Assemblie conveened in the Upper Tolbuith of Edinburgh, the sixt day of August. Mr Robert Pont, Proveist of the Trinitie Colledge, was chosin Moderator.

TRIELL OF BISHOPS, SUPERINTENDENTS, ETC.

In the triell of bishops, superintendents, and commissioners, Johne Durie, one of the ministers of Edinburgh, protested that the triell of a bishop prejudge not the reasons which he, and other brethrein of his minde, had against the name and office of a bishop. The Bishop of Glasgow, before negligent in preaching, was exhorted to be diligent.

The Bishop of Dunkelden was compleanned upon, that he made no residence within his diocie; that there is no exercise keeped there; that he wrote a letter to George Lundie, Minister of Cramund, to serve equallie foure kirks, by course, upon the Lord's day, under the paine of deprivatioun; that the ordinance concerning the Erle of Atholl was not obeyed; that he had dilapidated the patrimonie of the benefice. He answered to the First, That he made little residence in anie one place, as may appeare by his booke of visitatioun; and was ofter in Dunkelden, since the last

Assemblie, than in anie other place. To the Secund, That the meetting of brethrein for exercise was holdin, and the ministrie resorted thither. To the Fourth, Granted he had not excommunicated the erle, but produced two of his bills. To the Last, he answered, That he had sett a part of the benefice in few to the possessors of the ground, without diminutioun of the rentall, and confessed that he had sett a nynteene yeere tack of threttie-six chalder of victuall of teind, for six shilling eight penneis boll, to the Erle of Argile. The Assemblie ordeanned him to mak residence at Dunkelden betwixt and the nixt Assemblie, under paine of excommunicatioun. They continued the determinatioun of their censure for dilapidatioun of his benefice, till the Acts of the Assemblie be considered. They decerned that he had incurred the pains conteanned in the act and ordinance of the Assemblie, for not excommunicating the Erle of Atholl. In the secund sessioun the Assemblie appointed some brethrein to reasoun with him, and suche as he would associat to him, tuiching the dilapidatioun of his benefice, and to consider why the said dilapidatioun be not a caus of deprivatioun. He desired that Mr Johne Grahame might be had to reasoun for him. The Assemblie rejected this noveltie, and injoyned him to answere in his owne persoun, and choose anie brother of the ministrie to reasoun for him. In the fyft sessioun, he confessed that the setting of the tack of threttie-six chalder of victual to the Erle of Argile was not done voluntarlie: that diverse times he repented, and was willing to have it reformed, ather by favour or good-will, or by processe of law, wherin my lord regent's Grace had promised him his assistance, and to travell with the Erle of Argile that it may be reformed. He sought also the regent's advice, that all processe against him might be intermitted to the nixt Assemblie. The Generall Assemblie, willing to satisfie the regent's requeist, and looking that, by his Grace's travells, and procurement of the said bishop, the mater sould be reformed, continued their processe in the same force and effect, till the first day of the nixt Assemblie, to which the bishop was wairned. Becaus he was presentlie suspended from his office for not excommunicat-

ing the Erle of Atholl, the Assemblie ordeanned a letter to be directed to the Erle of Atholl and his ladie, requiring them, if they sute anie conference, to choose three or foure of the brethrein, and Mr Johne Row, Commissioner appointed for these parts, whom the brethrein command to meete in Dunkelden and St Johnstoun, to that effect. Which conference being had, and they not resolved betwixt and Martimesse, ordeaneth Mr Johne Row, and the said persons, to pronounce the sentence of excommunication against them. And if they refuse the said conference, ordeaneth, that Mr Johne Row, with assistance of the Superintendents of Angus and Fife, William Christesone, Minister at Dundie, pronounce the sentence in Dundie, or, if they be stopped, in St Johnstoun.

Alexander Bishop of Galloway presented to the Assemblie the tenor of his satisfactioun, and desired to know, if he had satisfied the sentence pronounced by them. They found it satisfied and fulfilled in all points. As for the interpretatioun of his suspensioun, they declared that they would find no fault that he preache the Word truelie, albeit he stand suspended from commissioun of visitation. Alwise, exhorted him to concurre and assist the Commissioner of Galloway in his visitatioun, for keeping good order and discipline within these bounds.

Mr Thomas Howesone produced an act of the Synodall Assemblie of Murrey, bearing that there was no questioun moved at the Bishop of Murrey his electioun, and what purgatioun he would make of the slanderous bruite raised upon him; and, farther, excused the said bishop his absence, becaus he was slaundered in the last Assemblie by Mr Walter Balcalquall, as a fornicator with the Ladie Ardrosse. The Assemblie judgeth the excuses frivolous.

The Superintendent of Fife was compleanned upon, that the exercise is takin from St Leonard's to the parish kirk of Sanct Andrewes, and yitt nather preaching nor exercise keeped that day. He answered, there was an order sett doun for the exercise, and a roll for the exercisers, and not the lesse no exercise hath beene keeped since Easter bygane a yeere. The Assemblie ordeanned the exercise to be restored again to St Leonard's Colledge, and the

Fryday preaching to be keeped, yitt Mr Robert Hammiltoun, Minister of Sanct Andrewes, to be heard when he cometh to the Assemblie.

The Commissioner of Aberdeen was compleanned upon, that the readers and ministers in the countrie keeped certan patron and festivall dayes; conveened, prayed, preached, and so fostered the people in superstitioun. *Item*, That there was no discipline keeped within his diocie. To the First, he answered, That some ministers of the countrie thinke it lawfull; and, for his owne opinioun, he wished it sould be takin away by an ordinance of the Assemblie. As for the Secund, referreth him to his bookes of visitatioun.

Mr Robert Grahame, Commissioner of Cathnesse, was compleanned upon, that he was not diligent in his visitatioun: that he gave a warrant to marie the Earl of Cathnesse' daughter, divorced for adulterie from her husband, upon the Laird of Inneis; and had moe offices nor he was able to discharge. He answered, he was compelled to come hither foure times in the yeere; that he gave to her suche libertie as the kirk giveth to others, she having made her repentance bare-headed and bare-footed; that he was no Commissioner of Rosse, howbeit, he supported the countrie this yeer. The Assemblie discharged him his commissioun, and ordeanned that he be not admitted again till farther advisement.

NON-RESIDENTS AND DILAPIDATORS DELATED.

James Nicolsone, collector-clerk, exhibited to the Assemblie a roll of the ministers that had waisted their benefices, and made no residence at their kirks; of which number was Mr George Ramsay, Minister of Foulden, Mr Johne Colvill, Chanter of Glasgow, and Minister of Kilbryde, Mr Patrik Adamsone, and Mr Andrew Polwart, Ministers at Pasley, George Sinclair, Chanceller of Cathnesse. The whole number were eight-and-twentie. Some of them compeered in the sixt sessioun. Mr George Monro his excuse, that he might not travell to his kirk for deadlie fead, was

accepted. Mr Patrik Dowglas confessed he made no residence, by reasoun he had gottin nothing to serve for. Mr Andrew Polwart was ordeanned to serve at Pasley.

CHRISTMAS KEEPED AT DUMFREIS.

Mr Peter Watsone, Commissioner of Nithisdaill, compleanned that the toun of Dumfreis, at Christmasse-day last bypast, seing that nather he nor the reader would nather teache nor read upon these dayes, brought a reader of their owne, with tabret and whissell, and caused him read the prayers; which exercise they used all the dayes of Yuile. The Assemblie thought good this complaint sould be intimated to my lord regent's Grace.

ARTICLES FOR SUPPLICATION.

Some brethrein were appointed to visie the bookes of visitatiouns of bishops, superintendents, and commissioners, according to the custome; others to read and answere bills, complaints, and questions. Others were appointed to penne the articles which are to be presented to my lord regent's Grace, and to produce them to the Assemblie, to be considered. Commission was givin to the Bishop of Glasgow, the Superintendents of Angus and Lothiane, Mr Johne Row, and Mr David Lindsey, to present unto his Grace these articles, to confer with him upon the same, and to report his Grace's answere against the 12th day of this instant, before the Assemblie be dissolved. The tenour of the articles followeth:—

"*Imprimis*, For planting and preaching of the Word throughout the whole realme, it is desired, that so manie ministers as may be had, who as yitt are unplaced, may be receaved as weill in the countrie, to releeve the charge of them who have manie kirks, as otherwise, throughout the whole realme; with superintendents or commissioners within these bounds where bishops are not, and to helpe suche bishops as have over great charge: and reasonable livings to be appointed to the forsaids, as also payment to them that

have travelled before, as commissioners, in the yeere of God 1573 and 1574, and so furth in times comming, without which the travell of suche men will ceasse.

"Secundlie, That suche impediments be removed away as mak hinderance to the progresse of doctrine; as abundance of vice in all parts of this realme unpunished, mercats upon the Sabboth-day, and ministers troubled in executioun of their office.

"Thridlie, That the order alreadie tane toward the poore may be putt in full execution; and, to that effect, that a portioun of the tithes, which is their owne patrimonie, als weill of the two parts of the thrid part, may be imployed for their sustentatioun, according as necessitie craveth. And to this effect, that the hospitals which have beene of old, may be restored to their owne use, notwithstanding anie title made therof to other persons; and also, that suche ordinar almous as hath beene appointed furth of abbeyes or other benefices, by long consuetude, may be payed to the poore, as of before.

"Fourthlie, Becaus the schooles are the fountane from which ministers must flow, that provisioun be made for them, not onlie for suche as remaine within the realme, but also for men of good ingyne, who by the kirk sall be found meet to visie other countreis and universiteis, for their furtherance in learning; and cheefelie for Glasgow, becaus it is but newlie erected, and hath not suche provisioun as other universiteis.

"Fyftlie, That suche assignatiouns as have beene appointed by the prince and the kirk, and are altered without advice of the kirk, may be repaired; and that, in times comming, suche assignatiouns as sall be appointed be not altered, without advice of the kirk, otherwise no minister sall be sure of his assignatioun.

"Sixtlie, Where ministers produce letters of horning to the generall upon suche persons as are assigned to them for payment, the said collector may be caused to mak payment to the said ministers.

"*Item*, That all dayes that heeretofore have beene keeped holie beside the Sabboth-day, suche as Yuile-day, Sancts' dayes, and suche others, may be abolished, and a civill penaltie ordeanned

against the keepers therof, by ceremoneis, banketting, playing, feasting, and suche other vaniteis.

"*Item*, That suche ministers and readers as ather by infirmitie or age become unable, may have their stipends during their lyfe-times.

"*Item*, That the clerk of the Assemblie be answered of the ordinarie stipend appointed to the clerk of before, namelie, in respect of his labours, multiplied by writting of the whole ministers' and readers' letters, als weill for answering them of their stipends, as of their gleebs and manses, *gratis*; and that his name may be inserted in the booke of the assignatioun, with his stipend, as use was; and siclyke to be answered of the yeere bypast that he hath served."

The commissioners directed with these articles reported to the Assemblie in the sixt sessioun, that his Grace was minded to ryde shortlie to the borders: and becaus some of the articles craved the advice of the counsell, which could not presentlie be had, desired that the Assemblie might give commission to some of the brethrein to await upon his Grace and counsell, to confer upon the said articles, and receave answere. The Assemblie ordeanned the same commissioners to await, or so manie as may be present, speciallie, at the first day of November nixt to come.

The Assemblie ordeanned an article to be presented to the Lords of Sessioun for ministers and readers, that their actions persued before them may be exped with diligence, least they be abstracted from their charge. Mr James Lowsone, James Bishop of Glasgow, Mr Andrew Hay; Mr George Hay, were appointed to conveene with Alexander Hay, clerk of the Privie Counsell, to conceave an article in writt concerning the unioun of parish kirks.

ACTS.

It appeared to some of the brethrein, that the long continuance of commissioners in their offices would breed ambitioun and inconveniences; therefore, it was thought a mater to be consulted upon, whether it were expedient the commissioners of provinces

sould be changed from yeere to yeere, from the countreis where they travell, to other countreis. After long reasouning, the greatest part of the Assemblie thought best, where able men might be had, that a yeerelie change be made; and for the present, Mr George Hay was appointed to be Commissioner of Cathnesse, and Mr Johne Craig, Minister of Aberdeene, to be Commissioner of Aberdeen in his rowme. Mr David Lindsey was appointed to visite Murrey, and to consider the bishop's diligence, and complaints of ministers in the countrie against him, during his residence there. Mr Johne Row was appointed to visite the bounds apperteaning to the Bishop of Dunkelden's jurisdictioun, upon the bishop's charges. Some commissioners were continued till the nixt Assemblie, that they advised upon fitt men. The Superintendents of Fife and Lothian were continued in their offices respective. It is to be observed, that Mr Johne Wynrame, Superintendent of Stratherne, is, and hath beene again, Superintendent of Fife since the death of the last bishop; and hence it is, that in the Assembleis he is called sometime Superintendent of Fife, sometime Superintendent of Stratherne.

2. Becaus the apparrelling of the ministrie was omitted in the last Assemblie, the brethrein appointed before to forme the act were again desired to goe apart, which they did, and presented the same to the Assemblie, which was found reasonable, and all the brethrein serving in the ministrie ordeanned to conforme themselves and their wives therunto. The tenour wherof followeth: "Forasmuche as a comelie and decent apparrell is requisite in all, namelie, ministers, and suche as beare functioun in the kirk, first, we thinke all kinde of browdering unseemlie; all begaires[1] of velvet, in gowne, hose, or coat, and all superfluous and vaine cutting out, steeking with silkes, all kinde of costlie sewing on pasments,[2] or sumptuous and large steeking with silkes; all kinde of costlie sewing, or variant hewes in sarkes; all kinde of light and variant hewes in clothing, as reid, blew, yellow, and suche like, which declare the

[1] Stripes of a different colour or material sewed into a garment.

[2] Fringes or trimmings.

lightnesse of the minde;* all wearing of rings, bracelets, buttons of silver, gold, or other mettall; all kinde of superfluiteis of cloath in making of hose; all using of plaids in the kirk by readers or ministers, namelie, in the time of their ministrie, and using of their office; all kinde of gownning, cutting, doubletting, or breekes of velvet, satine, taffatie, or suche like; and costlie giltings of whingers and knives, and suche like; all silk hatts, and hatts of diverse and light colours: but that their whole habite be of grave colour, as blacke, russett, sad gray, sad browne; or searges, worsett, chamlett, grogram, lylis worset, or suche like; that the good Word of God, by them and their immoderatnesse, be not slandered. And the wives of the ministers to be subject to the same order."

QUESTIONS DECIDED.

Tuiching the question propouned by certan brethrein, whether if bishops, as they are now in the Kirk of Scotland, have their functioun grounded upon the Word of God or not; or, if the chapters appointed for creating of them ought to be tolerated in this reformed kirk; the Assemblie appointed Mr Johne Craig, minister of Aberdeen, Mr James Lowsone, minister of Edinburgh, and Mr Andrew Melvill, Principall of the Colledge of Glasgow, for the one part, Mr George Hay, Commissioner of Cathnesse, Mr Johne Row, minister of Perth, and Mr David Lindsey, minister at Leith, on the other part, to reason and confer upon it, and to report their judgement to the Assemblie before the dissolving therof, if they be resolved. They reported their judgement in the tenth sessioun in writt, as after followeth; viz. They thinke it not expedient presentlie to answere directlie to the first questioun; but if anie bishop sall be found who hath not suche qualiteis as the Word of God requireth, that he be tried by the Generall Assemblie *de novo*, and so deposed.

THE POINTS WHERIN THEY AGREE CONCERNING THE OFFICE OF A BISHOP OR SUPERINTENDENT.

"First, The name of BISHOP is commoun to all them who have a particular flocke, over the which they have a peculiar charge, als weill to preache the Word, as to minister the sacraments, and execute ecclesiasticall discipline, with consent of their elders. And this is their cheefe functioun of the Word of God. Attour, out of this number may be chosin some, to have power to oversee and visite suche reasonable bounds beside their owne flocke, as the generall kirk sall appoint; and in these bounds to appoint ministers, with consent of the ministers of that province, and with consent of the flocke to whome they sall be appointed: also, to appoint elders and deacons in everie particular congregation where there is none, with consent of the people therof; and to suspend ministers for reasonable causes, with consent of the ministers forsaid."

The brethrein appointed to decide questions reported their judgement as followeth:—

1. Ministers solemnizing the band of mariage betwixt parteis who were refused by their ordinar minister, becaus they keeped hous together uncontracted, and wounded him to death when they were desired to obey the discipline of the kirk, notwithstanding of no satisfactioun made, are to suffer the same censure which Mr Patrik Creigh suffered.

2. It being demanded, whether if the contract of mariage sould be made before the proclamatioun of bannes, by words of the present time, the man saying to the woman, "I take thee to my wife," and the woman saying, "I take thee to my husband;" or sould there be no contract or promise made, whill the instant time of solemnization of the mariage? it was answered, "Lett the order observed in the Kirk of Scotland be keeped, that the parteis come before the Assemblie, and give in their names, that their bannes may be proclamed, and no further ceremonie used."

3. Ecclesiasticall judicatoreis have, by the law of God, power to

cognosce and decerne upon hereseis, witchecraft, blasphemie of the name of God, and violation of the Sabboth day; speciallie upon the *quidditie* therof, without prejudging the punishment of the civill magistrat.

4. Two parteis maried publictlie by the reader, and having mutuall cohabitation together at bed and board after, if the minister of the same kirk, at the woman's desire, caused her sweare that her husband had never carnall copulatioun with her, and therupon, without asking farther questioun at the man, decerneth them divorced; the man alwise disassenting, and still claiming her to be his lawfull wife, the divorcement is not lawfull; and the minister meriteth suspension, and to mak his publict repentance.

5. It is not convenient that an officer of armes be admitted to be a reader in the kirk.

6. No law established, that a young man, after he hath had carnall deale with a woman esteemed a virgin, no mariage preceeding, nor yitt alledged by her, may be compelled by anie particular kirk, at the sute ather of the woman or the parents, ather to marie her, or to pay her dowrie.

7. A bishop may not transport ministers from one kirk to another, without their owne consents and of the kirks where they serve, but with advice of the Assemblie.

8. Barnes gottin before mariage, lawfull mariage following, are lawfull.

9. The minister that baptized a murtherer's bairne, not of his owne parish, upon a Moonday, without repentance of the murtherer remaining at the king's horne, deserveth depositioun.

10. Where Easter-day is superstitiouslie keeped, it is not thoght meet that the communioun be ministred that day, notwithstanding privat persons profane the Lord's day in privat houses.

The regent, according to his promise, sent the Laird of Carmichaell, wardane, to England, becaus he had offended first at the day of truce, as was alledged. But he went no farther than Yorke, where he remained the space of five weekes, and returned, after he had submitted himself to the Queen of England.

M.D.LXXVI.

A JUSTICE AIR.

The regent held a Justice Air in Februar. Sindrie theeves were hanged, and others were compelled to pay a great fyne. He caused the toun of Edinburgh pay a thowsand merks for bullion.

THE THRETTIE-SECUND GENERALL ASSEMBLIE.

The Generall Assemblie conveened in the Upper Tolbuith of Edinburgh the 24th of Aprile 1576. Mr Johne Row, minister at Perth, was chosin Moderator.

TRIELL OF BISHOPS, &c.

In the triell of bishops, superintendents, and commissioners, the Bishop of Glasgow being removed, was compleanned upon for not preaching in the toun of Glasgow since he entered in his office, and rare preaching ellis where. 2. That no injunctions were givin to adulterers delated to him, nor they summouned to receave injunctions. 3. That kirks within his diocie were not repaired. 4. That he had no particular flocke. 5. That, being required before his removing, by the Moderator, to rander the commissioun of visitatioun which he had in the hands of the Assemblie, he answered not directlie. Being called in again, he answered to the First, that to preache was the good gift of God, which is not equallie bestowed on all; and excused himself, that he was not so able, nor so liberallie doted with understanding as others: Alwise, it could not be denied but he preached, speciallie at Givven, and other kirks, and was willing to doe his duetie. To the Secund, that he remembreth not he hath failed: if the particulars were expressed, he could answere further. To the Thrid, he compleaneth

as they doe. To the Fourth, that he receaved no particular flocke in the entrie of his office, nor no questicun was then moved therupon: but if the Assemblie thinke that he sould be astricted to a particular flocke, he sould ather obey the ordinance of the Assemblie heerin, or give place to others. To the Fyft, if the Assemblie findeth that the commissioun which he hath sould endure onlie from yeere to yeere, he is content with the censure of the Assemblie.

The Bishop of Dumblane being removed, was compleanned upon, that he had not taught since his entrie to his office; nor maketh residence, nor hath a particular flocke. When he was called in again, he answered, he had not as yitt receaved anie fruicts of the benefice, had beene diseased these three weekes bygane, and promised amendiment in time comming. Being asked if he would dimitt the commission of visitatioun, answered, he was content, if the Assemblie thought it good.

The Bishop of Murrey was delated, that he had no particular flocke. 2. Nixt, was charged by Mr Patrik Balfour, that his stipend was changed by negligence of the bishop, and his name left blanke in the rolls, and a dead person putt in the rowme of another. 3. That he was not able to edifie the flocke. Answering to the First, he granted he had no particular flocke: to the Secund, promised to tak order with the clerk, that if anie wrong be done, it may be reformed; and said, there was no dead man's name in the bookes. Farther, he declared that he was presentlie under processe of horning, and by the regent's tolerance come this day to present himself to the Assemblie. The Assemblie understanding, by his owne confession, that he was at the horne, ordeanned him to be removed till he were relaxed.

The Bishop of Rosse being required to dimitt in the hands of the Assemblie the commission of visitation which he had of the Assemblie, condescended, and was exhorted to be diligent in visitatioun.

Mr James Paton, Bishop of Dunkelden, being inquired what he had done since the last Assemblie for repairing of the tack made

to the Erle of Argile, answered, that after the regent had conferred with the erle, he had promised to his Grace and to himself to satisfie the Assemblie. He desired delay till his comming, and till he conferred with the brethrein appointed to that effect in the last Assemblie. The Assemblie refused, in respect he had time sufficient, and willed him to propone his defences. The act made the nynth of Marche 1570, in the eight session of the Assemblie, against diminutions of the rents and fruicts of benefices, was read publictlie. The bishop alledged, there was obscuritie in that claus of the act, where the contraveeners are decerned to be deprived of their benefice, and craved the interpretatioun of the Assemblie. The greatest part of the Assemblie interpreted it thus: That the contraveeners of the said act sall be deprived of their offices, and all that they have of the kirk therethrough, so farre as it lyeth in the power of the kirk. The bishop alledged the act was unknowne to him; never came to his eares, nor was ever published; that it was an ordinance, that all the acts sould be revised, and suche as were unfitt to be abolished, of which number, he knoweth not if this may be one: that the act meaneth onlie of ministers, and of the setting of manses and gleebes, and not of bishops; and, last, that his fact proceeded from a most just feare, which might fall in a most constant man, his hous being besieged, and his sonne takin away. All his defences being heard and considered at lenth, the Assemblie, for the most part, resolved and concluded, that the bishop hath contraveened the tenor of the act, and therethrough, to incurre the penaltie therof, to witt, deprivation from his office, and that which he hath from the kirk therethrough, so farre as lyeth in their power, for ever. The bishop appealed from this sentence *verbo* to the Lords of Parliament. The Assemblie directed Mr David Lindsey and Mr Patrik Constan to intimat their proceedings to the regent. They returned with his Grace's answere, that the Assemblie had proceeded against him, and deprived him worthilie for his offences, and he could find no fault therin. Yitt his desire, that a policie and universall order might be established in the kirk, for suche and other proceedings; and to that effect, that suche

things as were penned upon that argument in the last conference sould be revised; or, if the heeds conceaved before misliked them, they sould sett doun, with some of the counsell, and penne other heeds; or ellis, that they sett doun themselves, and devise the said policie, to be presented to his Grace, that lawes may passe therupon. In the meane time, in cace the bishop compleaned to the counsell, he desired that some might be deputed by the Assemblie to await upon the counsell, to reason the mater formallie.

In the seventh session, the Bishop of Murrey was required to give prooffe of his doctrine before the brethrein. He answered, he was content to give prooffe in Aberdeene, Dundie, or Murrey, before Mr Johne Craig, Minister of Aberdeen, and Mr Alexander Arbuthnet. The Assemblie ordeaned him to give prooffe before them in the nixt provinciall Assemblie, which is to be holdin in Aberdeen, and that the said brethrein report their judgement to the nixt Assemblie. The Superintendent of Lothian was compleanned upon, that he had inaugurat the Bishop of Rosse in the Abbey of Halyrudhous, being admonished by the brethrein not to doe it. He granted his fault.

NON-RESIDENTS AND DILAPIDATORS CENSURED.

Conforme to the order takin in the last Assemblie, with persons delated for non-residence, and dilapidatioun of their benefices within everie province, and for suche as were then present and delated, the bishops, superintendents, and commissioners, declared what order they had takin. What was yitt undone, the Assemblie commanded to be accomplished; and commanded Mr James Hering, then present, ather to serve and make residence at his kirk, or ellis to dimitt his benefice.

COMMISSIONS.

Commission was givin to some brethrein to advise, what answere sould be givin to my lord regent's Grace's desire, propouned by

Mr David Lindsey and Mr Patrik Adamsone. Some were appointed to read and answere bills and supplications, and to view and consider the bookes of visitations. Commission was givin to some to visite the Universitie of Sanct Andrewes, and what they find, to report to the nixt Assemblie. Some were appointed to revise Mr George Hay his booke against Tyrie, and to report their judgement to the nixt Assemblie. Becaus of the great and intolerable burthein lying to the charge of bishops, superintendents, and commissioners of countreis, wherethrough the kirks within their bounds cannot be duelie visited, nor discipline executed, it was thought meete that suche bounds be appointed to everie commissioner and visiter, as may be duelie visited by everie one of them. To this effect, the Assemblie appointed the commissioners of countreis, with the persons nominated by the Assemblie, and joyned with them, to conveene apart at extraordinarie houres, to make a divisioun of the whole bounds of the realme, and to give in their opinions, how everie bounds may be best visited. The brethrein were nominated who sould conferre together, and their province assigned to them, to divide, ather two, three, foure, five, or six for a province; and foure brethrein were directed to the regent, to informe him of their proceedings. As for the parts of Argile, Mr Andrew Hay was desired to requeist the erle himself to be present. They gave in their judgement the day following, how the bounds committed to the visiters of countreis might be best and most commodiously visited, limiting the bounds which were to be committed. The Assemblie being advised therewith, divided the bounds to the visiters, assigning to Mr Gilbert Towssie, and Mr James Annand, Orkney and Zetland; and so furth, appointing ather two, or three, or one for the limited bounds, as they thought expedient. For making an overture of the policie and jurisdiction of the kirk, and uttering the plaine and simple meaning of the Assemblie therin, the Assemblie requested the brethrein under-named to tak paines, reasoun, confer, and deliberat gravelie and circumspectlie, upon the heeds of the said policie, and to report their opinions advisedlie to the nixt Generall Assemblie: for the west countrie,

the Bishop of Glasgow, Mr Andrew Melvill, Mr Andrew Hay, Mr James Greg, Mr David Cunninghame:—for Lothiane, Mr Robert Pont, Mr James Lowsone, Mr David Lindsey; and advocates, Mr Clement Littill and Mr Alexander Sir —for Fife, the Superintendent of Fife, the principall ministers of the Universitie of Sanct Andrewes:—for Mernes and Angus, the Laird of Dun, William Christisone, Mr Johne Row, Mr William Rynd, Johne Duncansone:—for Aberdeen, Mr Johne Craig, Mr Alexander Arbuthnet, Mr George Hay; and to conveene as followeth:—the brethrein of the west in Glasgow, of Lothian in Edinburgh, of Angus in Montrose, of Fife in Sanct Andrewes, the first Tuisday of Junie nixt to come, to conferre and reason upon the said mater, and to conveene together, two or one at the least of eache companie above writtin, in Stirline, the last of Julie therafter, to communicat their labours takin heerin, and to confer together heerupon; and to report what they have found and conceaved in the said mater, to the nixt Assemblie, which is appointed to be holdin in Edinburgh, the 24th day of October nixt to come.* And in cace there be a parliament indicted in the meane time, the Assemblie ordeaneth the ministers of Edinburgh to mak intimatioun therof to the bishops, superintendents, and visiters of countreis, that the Assemblie may be conveened foure dayes before the said parliament; and that the barons and gentlemen be exhorted to be present, with the commissioners appointed in the provinciall Assembleis.

"Forasmuche as the great and intolerable burthein lying to the charge of bishops, superintendents, and commissioners of countreis, is, and hath beene, the verie caus, that all the kirks within their bounds could not be duelie overseene, and consequentlie good discipline was neglected for lacke of visitatioun; therefore, it is thought meete, that suche bounds be appointed to everie commissioner or visiter, as may be duelie visited and overseene by everie one of them. The brethrein appointed to conceave and forme the power and jurisdictioun which sall be givin by the Assemblie to visiters of countreis, gave in their judgement and advice, in articles which

were allowed and approved by the whole Assemblie, the tenour wherof followeth:—

ARTICLES CONCERNING THE OFFICE OF VISITERS.

"That he call the ministers together within the bounds of his visitatioun; as also to hold synodall Assembleis; to be moderator there; to trie ministers and the oversight of schooles, and he to be tried by this Assemblie; to propone maters that are to be consulted upon, to gather the votes, and declare what is found by votes. He sall have the oversight of all the particular kirks within the bounds of his visitation and ministrie therof, that everie one of the ministers exerce their owne vocation diligentlie, with their owne congregations. And in the bounds of his visitatioun, to appoint ministers, with advice of the ministrie of the province assembled in the provinciall Assemblie, at the least six of the best learned within his bounds; or enlaiking that, of the nixt adjacent, to be chosin in the synodall Assemblie, with consent of the people, to whom he sall be appointed minister, and that becaus the power standeth not in the visiter, but in the kirk. As to the suspensioun or deposition of anie minister from his office, the samine sall be done by the visiter, and the ministrie in the said synodall Assembleis, the caus being there tried, particular intimatioun being made to his particular congregation to be present; except some urgent caus occurre, that it be necessar to doe the same with short advice; as if the minister committ some notorious crime, whereby he cannot longer be reteanned in his office. In the which caus, the visiter may conveene these that are upon the exercise in that province, and they, with him and the sessioun of the particular kirk, to proceed to suspensioun, by lawfull triell of the offence. Upon the presentations of the patrons to the visiter, he, with consent of the synodall Assemblie of his province, sall give his letters testimoniall to him that is presented, lawfull impediments being tane away, at least with advice of six ministers within his bounds;

or inlaiking that, of the nixt adjacent, to be chosin in the synodall Assemblie; providing alwise, that the consent of the flocke where he sould be appointed be had, or ellis a reasonable caus by them shewed, why not. And incace he hath beene a minister before, he to receave his letters testimonialls upon the presentatioun, with advice of the ministers of the exercise within that province; and none to give collatioun of anie benefice without the bounds appointed to him by commission of the kirk. That an admonitioun be made to all ministers, that unadvisedlie they proceed not to excommunicat; and if difficultie arise heerin, that the visiter and the rest of the countrie be advised with. And siclyke in absolutioun. Where there is not *ecclesia bene constituta*, that he travell to constitute it. That he tak heed to the keeping of exercise, repairing of kirks, kirk-yards, designatioun of manses and gleebs, and all other charges perteaning *ad decorem ecclesiæ*, and granted to the kirk by the lawes of the countrie.

"2. Tuiching the advice and opinioun of the brethrein, givin in the last Assemblie, concerning the question moved, Whether if bishops, as they are now in Scotland, have their function out of the Word of God? the whole Assemblie, for the greatest part, after reasouning and long disputatioun upon everie article of the said brethrein's opinioun and advice, absolutlie affirmed and approved the same, and everie article therof, as the same is givin by them, wherof also the tenor is heere repeated. First, the name of a bishop is commoun to all them who have a particular flocke, over the which he hath a peculiar charge, als weill to preache the Word as to minister the sacraments, and to execute the ecclesiasticall discipline, with consent of his elders. And this is his cheefe functioun of the Word of God. Attour, out of this number may be chosin some to have power to oversee and visite suche reasonable bounds, beside his owne flocke, as the Generall Assemblie sall appoint; and in these bounds, to appoint ministers, with consent of the ministers of that province, and consent of the flocke to whom they sall be appointed; als weill to appoint elders and deacons in everie particular congregatioun where there is none, with consent

of the people therof; and to suspend ministers for reasonable causes, with consent of the ministers forsaid. And to the effect the saids articles, condescended to by the said kirk, may be the better followed out, and readie executioun ensue therupon, as apperteaneth, ordeaneth the bishops who have not as yitt receaved the charge of a particular congregatioun to condescend upon the morne, what particular flocke they will accept to tak the cure of.

"3. Forasmuche as it is heavilie deplored and lamented by some of the brethrein, that the countrie, and all the quarters therof, is miserablie divided in factions and deadlie feed, in so muche that the parochiners, for feare and suspicion which they have of others, darre not resort to their parish kirks, to heare the Word of Unitie preached, nor to receave the sacrament and seales of their salvatioun, wherof riseth a shamefull and unsufferable slaunder to the Kirk of God, and his true religioun within this realme; it is, therefore, thought good and concluded, that the visiters of countreis, in all parts, sall zealouslie endeavoure themselves, and travell with parteis, to reduce and bring them to Christian unitie, and brotherlie concord, as becometh the brethrein and members of Jesus Christ: exhorting them, as they tender the salvatioun and weale of their owne soules, to be at a heartie concord one with another, that the blessing which is pronounced for the peaceable may be imparted and givin to them, and slaunder and offence arising to the kirk, through the occasioun of their ungodlie factions, may be cutt off and removed."

QUESTIONS ANSWERED.

To the questioun moved, If a bishop, superintendent, or commissioner of a countrie, may remove a reader from the kirk, being lawfullie placed therat, without a just caus? it is answered by the Assemblie, that he may not be removed by them without a just cause.

2. It being demanded by Mr Andrew Hay, Minister at Renfrew, if everie visiter within his owne bounds hath like power and

jurisdictioun to plant ministers, suspend or depose for reasonable causes, the Assemblie answered *affirmative*, that they have alike power and jurisdictioun in the same, as is expressed in the particular articles premitted, tuiching the jurisdictioun of visiters.

3. The questioun being moved in the Assemblie, whether if the Assemblie may proceed against the unjust possessors of the patrimonie of the kirk and the poore, or not; and if they may proceed, how farre they may? it was first reasouned and disputed, if the Assemblie may proceed against suche persons; and, after reasoning, the whole Assemblie concluded *affirmative*, that they may proceed against them, in respect of the notorious slaunder, and as upon slaunder. And, siclyke, that they may proceed against them by doctrine and admonitioun. And last of all, if there be no remedie, with the censures of the kirk. And, further, that the patrimonie of the kirk, wherupon the kirk, the poore, and schooles, sould be mainteanned, is *ex jure divino*; leaving further disputation of this mater to the first day of May; and that then, the descriptioun of the patrimonie of the kirk be enquired, and further reasoun be had for full resolutioun of the questioun. Forasmuche as there are diverse questions and difficulteis propouned to this Assemblie, wherof the full and finall resolutioun, for shortnesse of time, cannot presentlie be had, it is thought meete that the copie of the saids questions be delivered to the bishops, superintendents, and visiters of countreis, to be propouned and advised in their provinciall conventiouns, and reported again to the nixt Generall Assemblie.

BISHOPS URGED TO ACCEPT PARTICULAR FLOCKES.

The Bishop of Glasgow being inquired, if he would accept a particular flocke or not, gave in his answers in writt to the Assemblie, That he is content till the nixt Assemblie, unbound, to travell in some severall parish, as his leasure and other necessarie occasions will permitt, providing he be not astricted to the said congregatioun; and at the nixt Assemblie he sall give his answere, whether he will accept a particular flocke or not: and if he refuse, the As-

semblie not to reprove him for his last promise; and if he accept one, the samine sall be in his owne optioun: and he sall have another to assist him in the ministrie and cure of the said flocke, becaus of his visitations, and other charges. And also, that he sall not be precluded of his office, as the custome is, in the rest of the parts of his diocie, and service of the king, conforme to his first admissioun: and desired these things to be allowed by the Assemblie now presentlie conveened. The Assemblie continued him in his office of visitatioun of the bounds which he had before, to the nixt Assemblie. The Bishop of Murrey promised to be content at the sight of the Assemblie to accept a particular flocke. The Bishop of Rosse had assigned to him for his particular kirk, with his owne consent, the Channonrie of Rosse. The kirk of Dumblane was assigned to the Bishop of Dumblane, to be his particular kirk, with his owne consent.

THE CONFERENCE UPON THE POLICIE IN THE WEST.

The brethrein appointed by the Assemblie to confer upon the heeds of policie conveened at Glasgow in Mr David Cuningham's hous, then Sub-deane of Glasgow, and Deane of Faculteis, a man of good accompt at that time. None was so franke in the caus as he. He moderated the reasouning, gathered up the conclusiouns, and putt all in writt and order, to be reported to the Assemblie. But suche was the sagacitie of Mr Andrew Melvill, that he deemed that nather he nor Mr Patrik Adamsone would prove freinds to the caus in the end. And so it proved indeid. Mr Patrik, after he had insinuated himself in favours of the ministers of Edinburgh, and of Mr Andrew Melvill, left Paisley, and went to court, where he became minister to the regent.

MR A. MELVILL CONSTANT IN THE CAUS AGAINST BISHOPS.

About this time, the personage of Givvan, beside Glasgow, vaiked, a benefice paying twentie-foure chalders of victuall by yeere.

This benefice is offered to Mr Andrew, providing he would not insist in the course against bishops. But he refused. He dealt earnestlie with the regent by all meanes, speciallie by Mr Patrik, that it might be annexed to the Colledge of Glasgow, becaus the rents of the colledge were not able to susteane two maisters, lett be bursars. The regent keeped the benefice in his owne hand undispouned almost two yeeres, alledging, that Mr Andrew would defraud both the colledge and himself of suche a benefice, becaus of his new opinions, and over-sea dreames tuiching discipline and policie of the kirk. At last, when the regent could not breake him with threatnings, by advice of Mr Patrik he assayed to winne him by some benefite, and maketh a new erectioun and reformation of the Colledge of Glasgow. The regent's intent was, to caus Mr Andrew relent of his earnestnesse against bishops.

THE THRETTIE-THRID GENERALL ASSEMBLIE.

The Generall Assemblie conveened at Edinburgh, the 24th of October. Mr Johne Craig, Minister of Aberdeene, was chosin Moderator.

THE REGENT'S PRESENCE CRAVED.

Mr Johne Row, Mr David Lindsey, Mr Patrik Adamsone, were directed to the regent, to crave his Grace's presence in the Assemblie, or some commissioners to be authorized by his Grace. They reported this answere, that the warning came so suddanlie to him, that he could not be present himself, nor direct a commissioner; but if the Assemblie thinke meet, he sall appoint some of the counsell to conveene with the commissioners that the Assemblie sall appoint, at suche time as sall be thought good, to confer upon suche things as may serve for furtherance of God's glorie.

The Assemblie, remembring the Bishop of Murrey his admissioun to stand yitt under question; and that he, with his chapter, was ordeanned to have beene summouned to sindrie Assembleis, to

have heard triell takin of the said processe, with certification, if they compeered not, the samine sould be declared null and voide in the self, in times comming; and yitt, nothing done, hath ordeanned summouns to be directed, summouning him, with the chapter forsaid, to produce the said processe, and heare triell taikin therin, the secund day of the nixt Assemblie; with certificatioun, if they compeered not, the samine sall be declared null and voide in the self, in times comming, to be executed by their brethrein, Mr George Hay, &c. James Bishop of Glasgow being required to give his answere, if he will accept the charge of a particular flocke, and visitation of suche bounds as the Assemblie sould appoint to him, conforme to the articles concluded in the Assemblie, the bishop being present, exhibited his answere in writt, as followeth:

"Forasmuche as it is not unknowne to their wisdoms, that they gave commissioun and charge to certan learned, godlie, and discreit brethrein of the ministrie, and others, elders of the kirk, to commoun, treate, conclude, and agree with certan other noblemen, commissioners from the king's Majestie, Johne, umquhile Erle of Marr his regent; at which conference it was agreed by the whole commissioners, als weill of the king as of the kirk, tuiching the name, stile, power, and jurisdictioun of bishops, with the forme and maner of their instituting, ordeanned to stand and remaine whill the king's Majestie's yeeres of minoritie, or, at least, whill a parliament sould otherwise decide and conforme to the order therin conteanned, he was receaved to the said bishoprick of Glasgow, and made his sermon to the king's Majestie, in things perteaning to his Highnesse. And so, if he sould change or alter anie thing, in things perteaning to the order, maner, priviledges, or power of the samine, he sould be affrayed to incurre perjurie, and might be called by the king's Majestie, for changing of anie member of his estat. But to the effect their wisdoms may know he desireth not to be exeemed from travell, and bestowing of suche gifts as God hath communicated to him, he is content, at their command, to haunt to a particular kirk, and teache thereat, when he dwelleth in the shirefdom of Air, and that by discretioun and sight of the

brethrein of that countrie; and when he is in Glasgow, to exercise likewise at some part, where the brethrein there thinke most necessar; and to abide their judgements of his diligence in that behalf, without binding him anie way, or prejudging the power and jurisdiction which he receaved with the said bishoprick, untill the time prescrivéd in the said conference, that farther order be tane by the whole estats theranent; at which time he sall be content with all good reformation, as sall be found expedient."—"Which answere being read, the Assemblie continued, and continueth the said bishop in visitatioun of the bounds which he had before, to the nixt Assemblie. And as to the particular flocke, the Assemblie is content he take the cure of a particular flocke, as is mentiouned in his answere, till the nixt Generall Assemblie." It is to be considered, that the Assemblie could not use their full authoritie, becaus the regent bearing rule for the time was earnestlie sett for the estat of bishops.

In the thrid sessioun, some brethrein propouned, that seing the regent's Grace had presented Mr Patrik Adamsone to the bishoprick of Sanct Andrewes, he might be tried before them, seing, by the ordinance of the Assemblie, bishops sould be tried before the Assemblie, before they be admitted by the chapter. Mr Patrik being present, answered, that my lord regent's Grace had discharged him to proceed farther in this mater, in respect the said act and ordinance of the kirk is not accorded upon; and, therefore, he would not meddle farther, nor make instance therin. The Assemblie thought good, this answere sould be givin to my lord regent's Grace, by the chapter. In the seventh sessioun, the brethrein of the chapter of Sanct Andrewes declared, that my lord regent's Grace had presented Mr Patrik Adamsone to the bishoprick of Sanct Andrewes, and they, being members of the chapter, in respect of the act and ordinance of the General Assemblie, delayed their proceedings therin, and desired the Assemblie to proceed to his triell, conforme to the said act. Mr Patrik being present, and required if he would submitt himself to the triell and examinatioun of the Assemblie, and receave the office of a bishop, according to

the injunctions of the same, and conditions registred in their bookes, he answered, he could not.

MR R. HAMMILTON CENSURED.

Tuiching the doubts and difficulteis propouned in the mater concerning Mr Robert Hammiltoun, minister of St Andrewes, and proveist of the New Colledge therof, to witt, which of the two offices, provestrie or ministrie of St Andrewes, he sould reteane and injoy, seing it is found and thought he may not bruike both, the Assemblie and commissioners present, after long and prolixe reasoning had in the mater, considering the said Mr Robert's first entrie in the functioun and office of the ministrie of St Andrewes, wherunto, without advice of the Assemblie, he had unite the said provestrie: And seing, by the act of the last Assemblie, the saids two offices are not found compatible in his person, decerneth and ordeaneth the said Mr Robert to remaine still with the ministrie and pastorship of St Andrewes, and to watche and attend zealouslie and diligentlie upon the cure and charge therof, as becometh a faithfull and vigilant pastor to doe to his flocke: And in the name and feare of God, to leave and cast off the said office and charge of provestrie, as an impediment, stay, and hinderance to his office and calling of the ministrie, under the paine of the censures of the kirk. Mr William Skeene, Commissioner of St Andrewes, in name of the New Colledge therof, and electors of the said Mr Robert to the said provestrie, disassented from this sentence, wherunto the said Mr Robert adhered, in respect, as he alledged, the Assemblie could not discharge him of the provestrie, and that he could not beare the whole burthein of the kirk of St Andrewes in his owne persoun.

COMMISSIONERS CONTINUED.

Mr George Hay, Commissioner of Cathnesse, at the desire of the Assemblie, randered up his commissioun, as also did the rest of the

commissioners who were present. Mr Andrew Hay, Johne Duncansone, Mr Peter Watsone, Mr Johne Row, were not onlie willing to resigne their commissions, but also craved to be exonered therof. All the commissioners which were appointed in the last Assemblie were continued in their office till the nixt Assemblie, except Mr George Gardin. Mr Andrew Hay protested that he be not oblished further nor he may reasonablie doe on his owne charges, otherwise, accepteth not the commissioun.

MR T. HEPBURNE CENSURED.

Mr Thomas Hepburne was accused for mainteaning, that no soule entereth in heaven, where Christ is glorified, whill the latter judgement. He answered, he would not contumaciouslie stand to his owne opinioun, but would yeeld to better reasoun; and to that effect, desired privie conference with some brethrein, which was granted, and sindrie testimoneis of Scripture alledged by them, to confute his errour. Yitt he affirmed he was not satisfied. Yitt, if the Assemblie would damne the said article as erroneous and hereticall, he would give place to their judgement, and leave his opinioun. The Assemblie, after reading publictlie the said article, all with one minde and voice damned and detested the said article, and judged the same to be hereticall, false, and erroneous; repugnant and contrarious to the plaine and evident Word of God reveeled in his sacred and holie Scriptures; founded and grounded onlie upon the curiositie of men's witts, without assurance of God's law. And, therefore, inhibiteth all and whatsomever persons, publictlie or privatlie, to mainteane and defend the said errour, under paine of the censures of the kirk: leaving alwise the said Mr Thomas to privie conference with suche brethrein of the ministrie as he thinketh good, to resolve him in the said mater; and alwise, for considerations presentlie moving the Assemblie, dischargeth the said Mr Thomas from entering in the ministrie, whill the Assemblie be farther advised.

COMMISSIONS.

The Assemblie thought meet that Mr Patrik Adamsone, Mr Johne Row, and Mr David Lindsey, notifie to the regent the order to be takin for visiters of countreis; and what number the Assemblie thinketh needfull, the divisioun of the bounds, and names of the visiters if he sall require; and to desire that provisioun be made for them. They returned with this answere, that he would be advised with the rolls, and with the collector. Forasmuche as the Assemblie preceeding had givin commissioun to some of the brethrein, to consult upon the policie of the kirk, and to report their judgement formallie, in writt, to this Assemblie, wherin some travells have beene takin by the brethrein, and something penned: It is thought good by the said Assemblie, that suche things as are alreadie penned be revised, and other things which sall be presentlie givin in considered, and putt in good forme and order. And to that effect, the Assemblie requeisteth my Lord Chanceller, the Laird of Lundie, Mr Andrew Hay, Mr Andrew Melvill, Mr James Lowsone, Johne Durie, Mr Robert Pont, Mr James Wilkie, Rector of St Andrewes, Mr Johne Row, Mr George Hay, Mr Clement Littill, to conveene daylie during the time of the Assemblie, at suche houres as they can agree upon; conferre upon the things alreadie penned, with others which sall be givin in, and advise thereupon; collect together in good forme, and present the samine to the Assemblie, before the dissolving therof. Alexander Hay, clerk of the Secreit Counsell, presented in the fyft sessioun certan questiouns, wherof he craved decisioun, for the better expedition of the platt, declaring it to be my lord regent's Grace his will, that at least so manie as may, goodlie, may be solved; that others of greater importance and difficultie may be reserved to better opportunitie. In the sixt sessioun, for better solution of the questions givin in by Alexander Hay, clerk of the Secreit Counsell, and expeditioun of the mater of the policie, the Assemblie and commissioners present, nominated and ordeanned their beloved brethrein, Mr Johne Craig,

William Christesone, Mr George Hay, Johne Duncansone, Mr Andrew Melvill, Mr James Melvill, Mr Andrew Hay, Mr David Cuninghame, Mr Johne Row, Mr James Greg, Mr James Lowsone, Mr David Lindsey, Mr Robert Pont, David Fergusone, Mr Robert Hammiltoun, Mr Johne Robertsone, Johne Areskine of Dun, one of the visiters of Angus and Mernes, if he be present, to conveene the nixt day after dissolutioun of this Assemblie, and consider the heeds of the policie, advise and consult diligentlie upon the same, and upon the said questiouns, and to report their judgement formallie, in writt, to the nixt Assemblie.

ACTS.

Becaus of the multitude of the bookes of the commissioners which are to be examined in the Generall Assembleis, and the large time spent therin; beside, suche as are deputed thereto know not the proceedings of the said commissioners so weill as their synodall assembleis: Therefore, it is decreed and statuted by this present Assemblie, that the books of visiters or commissioners be tried and surveyed in their synodall assembleis, and subscrived by the clerks therof, and the most part of the said assemblie, and reported again to the Generall Assemblie by the commissioners, that the Assemblie may consider their diligence in their offices.

2. Forasmuche as the dishaunting and intermissioun of the exercise, almost everie where, is greatlie lamented, and the cheef occasioun is laike of punishment of suche as ather sould prophecie themselves, or occupie the secund place of additioun; therefore, the Assemblie present hath thought meet, and ordeanned, that all ministers and readers within eight myles, or otherwise at the discretioun of the visiter, sall resort to the place of exercise eache day of exercise, and namelie, the ministers that sould prophecie and adde; wherin, if either of the two faile, that for the first fault they sall confesse their offence upon their knees, in presence of the brethrein of the exercise; for the secund, that they make the like submissioun before the synodall assemblie; for the thrid, that they be summouned

before the Generall Assemblie, and receave discipline for their offence; for the fourth, that they be deprived of their offices and functions in the ministrie.

3. The Assemblie hath concluded, that all readers within this realme sall be examined and tried *de novo*, in their synodall assembleis. And if, after examinatioun, they be found to want the qualiteis prescrived in the Booke of Discipline, to be deposed and removed from their offices. And siclyke, that no reader within this realme minister the holie sacraments, except suche as have the word of exhortatioun in their mouths.

4. Mr Henrie Kinrosse, advocat, in name of our soverane lord's sessioun, putt the Assemblie in remembrance of an act made for inbringing of the names of the defunct; and desired to know what had beene done therin. The Assemblie and commissioners present, understanding by the greatest part of the brethrein, that the said act was not putt to executioun, becaus manie understood not of it; after publict reading therof, ordeanned the said act and ordinance to be keeped and observed against the nixt Assemblie; and the names of the persons deceassed, since the date therof, to be exhibited to the Generall Assemblie, conforme to the said ordinance. And to the effect the same may be universallie keeped and observed in times comming, it is thought meete, that in everie parish there be persons appointed to break the earth, and make sepultoures, who sall notifie the names of the persons deceassed to the readers, that they may present the same to the commissioners, to be reported to the Generall Assemblie.

5. Forasmuche as the Assemblie and commissioners present have advisedlie considered the great prejudice and hurt done to the Kirk of God by beneficed persons of the ministrie, who sett fewes and tacks of their benefices and ecclesiasticall livings, lands, rents, tithes, and fruicts of the same, defrauding not onlie their successours of that wherupon they ought to be susteanned, but also, bringing upon the kirk, by their inordinat and corrupt dealing, great slaunders and inconveniences, hath, with uniformitie of votes and mindes, resolved and concluded, that no beneficed persons within the mi-

nistrie, bishops or others, sall sett fewes or tacks of their benefices or ecclesiasticall livings, lands, rents, tithes, and fruicts of the same, or of anie part therof, to whatsomever person or persons, without advice and consent of the Generall Assemblie. And siclyke, that none after subscrive or give their consents to the said fewes or tacks, till they see the consent of the Assemblie.

THE SOLUTIONS OF QUESTIONS.

Questions decided by the Assemblie.

1. Salt-panns, mylnes, and other labours, which draw away innumerable people from hearing of the Word, sould not be permitted upon the Sabboth day; and the violaters ought to be debarred frome the benefits of the kirk, whill they make their repentance: and the continuers therin ought to be excommunicated.

2. The Assemblie presentlie will not resolve, whether if a man or a woman, divorced for adulterie, ought to be admitted to the secund mariage, in respect of the great inconveniences that flow daylie therof; namelie, that some forge causes of adulterie, some mak causes indeid, and some by collusioun corrupt judgements, and all in hope of new mariage; but inhibiteth all ministers and readers to marie suche persons, under the paine of deprivatioun *simpliciter*, without anie restitutioun in times comming; and ordeaneth the persons so joynned to separat themselves, conforme to the act of the Assemblie in August 1574.

3. A man committing both adulterie and incest sould incurre double punishment.

4. A minister or reader tapping aile, beare, or wine, or keeping open taverne, is to be exhorted by the commissioners to keepe decorum.

5. Buriall ought not to be in the kirk; and the contraveeners sould be debarred from the benefits of the kirk, whill they make their publict repentance.

M.D.LXXVII.

THE THRETTIE-FOURTH GENERALL ASSEMBLIE.

The Generall Assemblie conveened at Edinburgh, in the Counselhous, the first day of Aprile. Mr Alexander Arbuthnet, Principall of Aberdeen, was chosin Moderator. Becaus he was not made acquaint with the references of the last Assemblie, in respect of his absence, the Assemblie, at his desire, appointed their beloved brethrein, the Laird of Dun, Mr James Lowsone, Minister of Edinburgh, Mr Robert Pont, Proveist of the Trinitie Colledge, Mr David Lindsey, Minister of Leith, Mr Andrew Hay, Commissioner of Cliddisdaill, Mr Johne Craig, Minister of Aberdeene, Mr Andrew Melvill, Principall of the Colledge of Glasgow, to concurre with him the morne at seven houres in the morning, in the Neather Tolbuith, to conferre and advise upon suche maters as sall be thought good to be treated in this Assemblie.

COMMISSIONS.

Mr Patrik Adamsone had, since the last Assemblie, beene presented to the bishoprick of Sanct Andrewes. Als soone as he gripped the bishoprick, Mr David Cuninghame left Glasgow, fell frome the good caus, and became the regent's minister, and within a yeere after was advanced to the bishoprick of Aberdeene, but had nather the wealth, honour, nor estimatioun he had before. Heerupon it was ordeanned as followeth, in the fourth sessioun:—

"Tuiching the accusatioun led against Mr Patrik Adamsone, called Bishop of Sanct Andrewes, that he had entered to the said bishoprick against the acts and ordinances of the Generall Assemblie, and usurped the office of visitatioun within the bounds of Fife, unauthorized by commissioun or power of the Assemblie, and left his ordinar office of ministrie, the Generall Assemblie, in respect of his absence to answere heereto, giveth full power and

commissioun to their brethrein, Mr Robert Pont, Mr James Lowsone, David Fergusone, and the Superintendent of Lothian conjunctlie, and, incace of the said superintendent's inhabilitie, Mr David Lindsey and Johne Brand, to direct out summouns against the said Mr Patrik, summouning him before them at suche day or dayes as they sall thinke good, within the toun of Edinburgh, to trie and examine his entrie and proceeding to the said bishoprick, usurpatioun of the said office of visitatioun, and deserting his ordinar office of ministrie which he had of before; with power also to summoun the chapter of Sanct Andrewes, or so manie of the chapter as sall seeme to them expedient, if neede require, and the ordinars or inaugurers of the said Mr Patrik, as they sall thinke good, for better triell of the premisses; and what heerin they find by processe of examinatioun, to report again to the nixt Generall Assemblie: and, in the meane time, in name of the Assemblie, to discharge him of farther visitatioun of the said bounds, whill he be admitted by the Assemblie."

The particulars of suche things as are desired to be ordered by my lord regent's Grace, before the worke of policie come furth, were delivered in few articles to Mr David Lindsey, Mr Andrew Polwart, and Johne Duncansone, to be propouned to his Grace; viz. First, That provisioun may be had for visiters of countreis. That order may be tane, that persons deprived by the kirk for not doing their offices may be deprived of their benefices. That his Grace will putt order to suche as receave benefices, and therafter cowp[1] them. That when benefices vaike, they may be dispouned rather to suche as have served at the kirks therof, then to others not so weill qualified. That the acts of parliament made against adulterers may be putt to executioun; namelie, against William Cochrane, notorious adulterer. That his Grace will discharge the playes of Robinhood, King of May, and suche others, on the Sabboth day. Because there are diverse readers not entered in the bookes of assignatioun, partlie by reasoun of enlaike of commissioners, and partlie by their negligence, that order may be pro-

[1] Sell.

provided therefore. The commissioners appointed to wait on my lord regent's Grace his answere reported, becaus they had no commissioun in writt, his Grace gave no answere to them.

THE HEEDS OF POLICIE DISPUTED, AND REFERRED TO FARTHER TREATIE.

Forasmuche as the cheef and principall argument to be treated and reasouned upon in this generall conventioun is, the policie of the kirk, referred by the last Assemblie to be treated and disputed at this, the brethrein deputed to the conceaving and forming of the heeds therof, being desired to give accompt of their diligence and industrie, presented the heeds of the policie, as they had made partitioun of the same at Stirline, with the judgement of the labours of the whole brethrein takin therin. Therafter were presented the heeds penned by Mr Johne Row and Mr James Lowsone, which were read, and nothing was oppouned, except that one of the said Mr Johne his articles was referred to further disputatioun, all men being required, that had anie good reasoun or argument to propone in the contrare, to alledge the samine; or, if they would not publictlie reasoun upon the said heed, to resort to the saids commissioners, and travell sould be takin to satisfie them; leaving to them libertie also, before the heeds be collected and ordered in one bodie, to make argument, as they thinke good, against the samine. The heed givin to the Laird of Dun, conforme to the order of distribution forsaid, being, in his judgement, obscure and mystick, the Assemblie desired him to conferre with the rest of the commissioners, to the effect he may be resolved of the meaning therof. It was thought good, the remanent heeds writtin by the commissioners, being prolixe and ample, sould be contracted in short propositiouns and conclusiouns, to be presented to publict reading therafter. The heed committed to Mr Andrew Hay was read in audience of the Assemblie, in the secund sessioun. Nothing was oppouned against the same, but that the article tuiching suspensioun of ministers was referred to further reasouning. The

heeds givin to David Fergusone were read likewise. The 18th article was referred, and nothing spokin by anie against the rest. Nothing was alledged against the heeds committed to Mr Andrew Melvill, Mr Robert Pont, Mr David Lindsey. It was desired, that some things in the heeds committed to Mr Craig sould be contracted, and others referred to further reasoning.

The whole labours of the brethrein takin upon the mater and argument of the policie, being read in publict audience of the Assemblie, in the thrid sessioun, it was thought good and expedient, their whole travells, now divided, be revised and perused by some brethrein, digested and disposed in good and convenient order, to be therafter presented to the Assemblie. And for that effect, the Assemblie appointed their brethrein, Mr James Lowsone, Mr Andrew Melvill, Mr Johne Craig, Mr George Hay, to conveene together, till the mater be brought to an end; and, in the meane time, if it please anie man to reasoun with them in the mater, to have accesse to them.

In the sixt sessioun it was thought expedient, that certan of the brethrein be directed to the regent's Grace, to informe him, that the Assemblie is travelling in the mater and argument of the policie, and that his Grace sall receave advertisement of anie further proceeding, before the end of the Assemblie: and becaus sindrie inconveniences may fall out before the samine be perfyted, that it would please his Grace to consider the same, and provide remedie. And for this effect, were directed from the Assemblie Mr David Lindsey, Johne Duncansone. At their returning, they reported, his Grace liked weill of their travells and labours takin in that mater, and required expeditioun and haste. "As for the particulars they meane of, lett them be givin in, and they sall have good answere." The particulars were directed with some commissioners, and presented in articles, which are above specified, and receaved answere as we have alreadie mentiouned.

In the tenth sessioun, the brethrein appointed to collect the heeds of the policie presented before, reported the same collected in order, and digested in one bodie; and all men were required,

that had anie good reasoun or argument in the contrare, to propone the same. Three heeds were called in doubt by some. One, *De Diaconatu*, another, *De Jure Patronatus*, the thrid, *De Divortiis*, wherin they were not resolved nor satisfied. As to the rest, there was no oppositioun. The three heeds standing in controversie being publictlie disputed and reasouned *in utramque partem*, yitt farther disputatioun was reserved to the day following, that anie man, if he pleased, might reasoun against the said heeds. At last, becaus the matter of the policie of the kirk, collected by the brethrein, is not yitt in suche perfyte forme as is requisite, and sindrie things largelie treatted which would be more summarlie handled, and others require farther dilatatioun; for collecting and putting the same in good order and forme, for avoiding of superfluitie on the one part, and obscuritie on the other, the substantialls being keeped, the Assemblie willed their beloved brethrein, Mr Robert Pont and Mr James Lowsone, to travell in the premisses. And to the effect the worke may be better compleit and in readinesse again at the nixt Generall Assemblie, which is to hold at Edinburgh, the 25th of October, the Assemblie ordeanned their brethrein, the Laird of Dun, Mr Alexander Arbuthnet, Mr Andrew Melvill, Mr Johne Craig, Mr Andrew Hay, Mr George Hay, Mr Johne Row, Mr David Lindsey, Johne Duncansone, to assemble and conveene together the 19th day of October nixt, in Edinburgh, to revise and consider the travells of their brethrein, that the same may be the more advisedlie propouned in publict, as said is. In the meane time, that suche as please to reasoun in the mater have accesse to the said brethrein. And likewise ordeanned the visiters of countreis to intimat to the barons, that this work is in hands, and to be treatted in the nixt generall conventioun; and to desire their presence and concurrence.

THE BISHOP OF GLASGOW CONTENT TO ACCEPT A PARTICULAR FLOCKE.

In the fyft sessioun, it was found by the testimonie of sindrie, that the Bishop of Glasgow had fed a particular flocke, as he promised in the last Assemblie. The Assemblie required farther, that he would accept a particular flocke in time comming, conforme to the order and acts of the Assemblie; wherunto he agreed willinglie.

VISITERS CONTINUED.

The Assemblie requeisted the commissioners of countreis to continue in their commissioun and office of visitatioun, till the nixt Generall Assemblie; and to use suche diligence and travells as they may, goodlie, for the confort of the kirk. Mr Andrew Hay, Commissioner of Cliddisdaill, protested that he be not burthenned with the overward of Cliddisdaill, from Hammiltoun up: alwise promised to keep synodall assembleis.

AN ACT.

The Assemblie and commissioners present ordeanned the whole commissioners of countreis to send in the names of the persons defunct within their bounds, to the Procurator-Fiscall of Edinburgh, if they have them in readinesse, betwixt and the nixt Assemblie; otherwise, *simpliciter* to produce them then, to be delivered to him; and to keep the act and ordinance made before.

QUESTIONS AND ANSWERS.

Questioun. What sall be done to suche as will not receave the communioun but in Lent?

Answere. They ought not to be satisfied nor nourished in their superstitioun.

Quest. What sall be done to ministers and readers, that read, preache, or minister the communioun at Christmasse, Easter, in Lent, upon Sancts' dayes, and at suche superstitious times, to reteane the people in blindnesse?

Ans. The visiter, with advice of the synodall assemblie, ought to admonishe suche ministers and readers to desist and absteane therefra, under paine of deprivatioun; and if they disobey to deprive them.

The Generall Assemblie of this realme, considering the great abundance of iniquitie overflowing universallie the whole face of this commoun wealth, now, in so great light and revelatioun of the true and Christian religioun, justlie provoking and stirring up the justice and equitie of God to tak judgement and vengeance in this unworthie and unthankfull natioun; seing also the manie and perellous stormes and rage of persecutioun daylie invading the kirk and spous of Jesus Christ, the sore and extreme troubles of the true and zealous members therof in the parts of France and ellis where, professing our Saviour, Lord, and Messias; the worke also of establishing a perfyte order and policie within the kirk, being presentlie in hands; hath thought it good, meet, and expedient, for the same reasons and good causes, that earnest and speedie recourse sall be had to God, with commoun supplicatiouns and prayers: and to that effect, that a generall fast be observed and keeped universallie through all the kirks of this realme, with doctrine and instructioun to the people; to beginne the secund Sunday of Junie nixt to come, which is the nynth day therof, and to continue to the nixt Sunday therafter; using in the meane time exercise of doctrine, according to the accustomed order: and to that end, that intimation be made heerof by the commissioners of countreis, to the ministers within their bounds, as apperteaneth.

THE THRETTIE-FYFTH GENERALL ASSEMBLIE.

The Generall Assemblie conveened at Edinburgh, in the Neather Tolbuith, the 25th day of October. Mr David Lindsey, Minister of Leith, was chosin Moderator.

A PREPARATIVE CONFERENCE.

Becaus of great confusioun which fell out heertofore, by casting in of purposes not foreseene, it was thought meete by this Assemblie, that certan brethrein sould conferre with the moderator, upon maters to be treatted at this conventioun; to witt, Mr Johne Row, Mr Alexander Arbuthnet, Mr Andrew Melvill, William Christesone, Mr James Lowsone, Mr Robert Pont, and conveene with the moderator at eight houres in the morning, and at halfe houre to two after noone, during the Assemblie. And siclyke, it is thought good that the acts concluded in the Assembleis be considered by the said brethrein, and therafter read in open Assemblie.

THE REGENT'S PRESENCE CRAVED.

The Assemblie directed two brethrein to the regent, to desire him to be present, in proper person, at the Assemblie, or to direct his commissioner. But they returned immediatlie with this answere, that his Grace had not leasure to talke with them, for his occupations. Other two brethrein were directed again. They returned with the like answere, that his Grace was so occupied in earnest effaires of the counsell, that he had no leasure to conferre with them. They were directed again, the thrid time. Johne Brand reported his answere in the thrid sessioun, that, in respect of sindrie important businesses, and that he could not have the counsell so soone conveened, he could not satisfie the petitioun of the Assemblie; desiring the brethrein who were sent to him before to come doun and speeke with him; and becaus he understandeth

the Assemblie was labouring in the policie, prayed them to goe fordward, and to putt it to an end. The Assemblie willed their brethrein, Mr James Lowsone and Mr Johne Row, to passe to his Grace the day following, according to his desire.

TRIELL OF VISITERS.

In triell of commissioners of countreis, Mr Peter Watsone was delated for mareing Garleis in a privat hous. He alledged Mr Willocke had done the like there. The Assemblie, in respect of the acts made, prohibiting privat celebratioun of mariage, ordeanned Mr Peter to confesse his offence, in transgressing the said acts, upon a Sabbath day, in the parish kirk of Disdeir, where the parteis sould have beene maried, in presence of the congregatioun, and Mr James Beton, minister: which acts he sall also read in presence of the people; and to report a testimoniall from the said Mr James of the performance of this ordinance to the nixt Assemblie.

A READER CENSURED.

James Blaikwod, Reader at Sawline, for celebrating the mariage betwixt the Commendatare of Dunfermline and his wife, without testimoniall of the minister of the parish where they made residence, was found guiltie of transgressing the act made the 27th day of December 1565. Therefore, the Assemblie decerned that the paines therof, viz. deprivatioun from his office, and losse of his stipend, be inflicted upon him; and other paines, as the Generall Assemblie sall therafter thinke meete to be injoynned.

COMMISSIONERS CHOSIN TO THE COUNCELL OF MAGDEBURG.

Mr Patrik Adamsone presented, in the thrid sessioun, a letter directed from the Queen's Majestie of England to the regent, informing him of a certane councell which was to be holdin at Magdeburg, for establishing of the Augustan Confessioun, with a letter

writtin from Casimire to her Majestie, of the same purpose; desiring in his Grace's name the Assemblie to advise, if they thought meete, that anie of the learned ministers sould repaire thither, and whom they would name. In the fyft sessioun the Assemblie judged it verie necessar that some be directed to the said councell; and nominated some brethrein, of which number the regent might choose one or two, to witt, Mr Andrew Melvill, Mr Patrik Adamsone, Mr David Cuninghame, Mr George Hay, Mr David Lindesay, William Christesone, Mr Alexander Arbuthnet, Mr Robert Pont. Mr Patrik reported, in the seventh sessioun, that in his Grace his opinion, Mr Andrew Melvill, Mr George Hay, and Mr Alexander Arbuthnet, are meetest for the purpose; alwise, desired the advice and judgement of the Assemblie, that after, he may take resolutioun with the counsell. The Assemblie willed Mr Patrik, Johne Duncansone, and William Christesone, to travell with his Grace, to know further of his minde in this mater: and siclyke, to desire his Grace to appoint the modifiers to conveene, at the ordering of the rolls of the ministers; and to report his Grace his answere againe to the Assemblie. They reported, in the eight sessioun, that he liked weill that Mr Andrew Melvill and Mr George Hay sould be directed to the councell of Magdeburg: alwise would know the advice of the councell therin, of which he sould caus them be informed; and, concerning the rolls, had appointed the Abbot of Dumfermline, George Auchinfleck, Mr Nicoll Elphinston, James Nicolsone, to tak order therewith. This motioun came to no effect. It appeareth the regent would have had these two out of the way, becaus the course of Episcopacie was like to faile. Yitt, want of expences and charges was a hinderance of their journey.

THE HEEDS OF POLICIE REVISED AND DISCUSSED.

Becaus the mater of the policie and jurisdictioun of the kirk referred to the collecting, forming, and disposing, of some brethrein, was presented by them in the secund sessioun, it was thought ex-

pedient to be treatted the day following. After reading the generall heeds therof, the brethrein were required to advise with themselves, if they found anie other heeds necessar to be disputed than these, and to signifie the samine to the Assemblie the morne. The sixt sessioun was whollie occupied in reasoning upon the heeds of the policie and jurisdictioun of the kirk, and an ordinance made to prosecute the reasoning the day following. In the thritteen sessioun it was concluded as followeth:—

"Forasmuche as the heeds concerning the policie and jurisdiction of the kirk being whollie read in audience of the whole Assemblie, and thought good and expedient that the samine sould be presented to my lord regent's Grace, as agreed upon, by reasoning among the brethrein, saving the heed, *De Diaconatu*, which is ordeanned to be givin in, with a note that the samine is agreed upon by the most part of the said Assemblie, without prejudice of farther reasoning; to the effect the saids heeds may be putt *in mundo*, disposed, and sett in good order, according to the minde of the Assemblie: The Assemblie hath willed their brethrein, Mr James Lowsone, Mr Robert Pont, Mr David Lindsey, and the Clerk of the Assemblie, to travell with diligence therin; and the samine being putt *in mundo* by them, according to the originall, to be seene and revised by their brethrein, Johne Duncansone, David Fergusone, the Laird of Dun, if he be present, Mr James Carmichaell, and Johne Brand: and being found by them to be according to the originall, to be presented by the said Mr James Lowsone, Mr Robert Pont, and Mr David Lindsey, together with a supplicatioun penned and delivered to them by the Assemblie, to my lord regent's Grace. And incace that conference and reasoning be sought by his Grace upon the saids heeds presented to his Grace, the Assemblie hath ordeanned their brethrein under-writtin, viz.: Mr Patrik Adamsone, the Laird of Dun, Mr Johne Craig, Mr Johne Row, Mr Alexander Arbuthnet, Mr Andrew Melvill, Mr James Lowsone, Mr Robert Pont, Mr David Lindsey, Mr Andrew Hay, Mr George Hay, and Johne Duncansone, to concurre and await upon the said conference, as they sall be advertised by his Grace."

THE REGENT'S QUESTIONS.

Certane questions were sent from the regent, ather to this Assemblie, ahd presented by Mr Patrik Adamsone, or ellis to the Assemblie holdin in October last, and presented by Alexander Hay, Clerk of the Counsell: for there we find, in the fyft sessioun, that Alexander Hay presented certane questiouns, wherof the regent craved decisioun. But the questions themselves are not extant in the register. I have heere sett them doun, as I found them in Johne Johnstoun of Elphinston his scrolls, a cheefe actor in the effaires of the Assemblie at some times.

THE REGENT'S QUESTIONS SENT TO THE ASSEMBLIE.

1. Ought there to be anie degrees of dignitie and order among ministers, in respect of learning, age, or places where they make residence?

2. May elders, deacons, ministers, once elected, and accepting the charge, leave the same again during their life time?

3. Sall the order of elders and deacons be alike in everie parish, als weill without burgh as within, in little parishes as meekle; als weill where there wanteth a minister as where there is one: sall their power and authoritie be in everie particular parish alike, and their number alike?

4. Ought anie tithes or dueteis be sought from the parochiners that want ministratioun?

5. Resteth the power of excommunicatioun with the ministers, elders, and deacons, of everie particular kirk; or is it requisite that they receave advice or directioun theranent from the archbishop, bishop, superintendent, commissioner, or visiter, of the diocie?

6. How manie of thir names and offices are tolerable in God's kirk; and what is the difference betwixt them?

7. Sall he that overseeth other ministers, whether he be provided

for terme of life, or for a time, doe things him alone; or sall he have anie counsell, assessours, or chapter?

8. How farre may the ministers, elders, and deacons of everie particular kirk and parish proceed; and in what causes?

9. What caus properlie belongeth to the decisioun of the particular assemblie of anie diocie, shire, or province; who are subject to conveene thereto; how oft, and at what places?

10. How manie Generall Assembleis ought to be within a kingdome; by whom they sould be convocated; for what caus; what forme of summoning and proceeding; who sall be president, and how manie sall have power of voting; upon what maters may the Generall Assemblie intreate; what executioun and pains upon the acts and decreets; what persons ordinarilie ought to be present therat; what paines against them that ought to come, and absent themselves; how farre may be proceeded, in cace the greatest part that sould come compeere not; and whether may the fewer number conveening give law to the greater, being absent?

11. Who sall occupie the place of the ecclesiasticall estat in the king's parliaments, conventions, and counsels; and how manie?

12. What is the proper patrimonie of the kirk?

13. Sall all ministers' livings be alike in quantitie, becaus they are thought to be alike in dignitie?

14. He who is thought worthie to preache the Word, and minister the sacraments, is he not also worthie to be promoted to anie benefice, seing it is thought there is no preferment of dignitie among ministers, in respect of anie qualitie?

15. Sall benefices be conferred to particular ministers in title; or sall the rents of all come to a commoun collectioun, and be distributed at the discretioun of the generall assemblie of the diocie?

16. Sall the dioceis or provinces, and parishes, continue according to the present divisioun of them; or, if there appeareth anie alteratioun requisite, by whose authoritie ought it to be done?

17. What are the causes, and what sall be the maner of suspensioun or deprivatioun of persons being in the ministrie, from their

functiouns and livings; and whether sall the processe * * * [1] or sall the person accused have a libell to answere unto; and what executioun sall follow upon the sentence?

18. Sall depositioun from the office and functioun induce also deprivatioun from the benefice and living; and what forme of processe in that behalfe?

19. Whether dilapidation of the rents of benefices, non-residence, pluralitie, committing of slaughter, adulterie, simonie, and suche detestable crimes, deserve deprivation of persons provided to benefices; and what maner of judgement therefor?

20. What is simonie?

21. If non-residence of persons bruiking benefices, and occupying ordinar offices in the kirk, meriteth deprivatioun, why sould not the order extend to them provided of old, as to them provided since the king's coronatioun, considering what ever is unlawfull, against conscience, and contrare the will of God at this present, hath beene wrong and unjust in all times preceeding; and the longer unjust possession continueth, it heapeth the greater damnatioun upon the possessors?

22. Whether may anie man be both a minister and maister of a schoole, or proveist of a colledge?

23. Whether may a man be both a bishop and lord of the seate?

24. Whether may a man be both a minister and a procurator, or man of law, a shireff, a toun-clerk, a notar, or a consistorie clerk?

25. Whether may a man be both a minister and a commissare of consistorie?

26. Whether may a man be both a minister and a shireff, or justice criminall, or proveist, bailiffe, or serjant of a toun?

27. Whether may a man be both a minister and a reader, or an officer of armes, or a lord or laird's stewart, greave, pantrie-man, or porter?

28. Whether if a man may be both a laird or landed man, and therewithall a minister or a reader; incace the king's proclamatioun come, or that he be summouned upon assises or inqueist, in crimi-

[1] A blank in the original.

nall or civill causes, ought he to passe to the warres, and keepe the sheriff and justice courts; or is he by anie law exeemed, in respect of his ministratioun or reading?

29. In cace the minister or bishop conqueis lands, to be holdin of the king or other superiour for the personall service in the warres, or siclyke, how may he of conscience discharge both the one and the other functioun?

30. Sall the payment of the thrids be perpetuall, or for a time?

31. What benefices presentlie ought to pay thrids; what benefices now?

32. What provisioun for the wives and barnes of ministers deceassing; and how long sall they continue with the manses and glebes unremoved?

33. Who sall be judges in causes of matrimonie and divorcement, of testaments, of the right of patronages, of benefices, of tinsell and deprivation from benefices, of the payment of ecclesiasticall rents and livings, of slanders?

34. How manie sufficient and worthie ministers to preache the Word, and minister the sacrament, are there presentlie within the realme of Scotland; and what are their names, at what kirks were it meetest to place them, what living and stipend to appoint to everie one of them; and whether meeter to provide them for terme of life, or but from Assemblie to Assemblie?

35. What sall be the conditioun of kirks and parishes where presentlie no ministers are to be placed?

36. Sall the readers be presentlie discharged or not; what are their names; and how manie of them esteeme yee worthie or unworthie to be continued?

37. A man provided of old to a benefice, and now serving at another kirk for a stipend, whether is he just possessor of the benefice, or may he be compted *mercenarius* for his stipend?

38. What difference to accept the title of a benefice of foure parish kirks annexed to it, and to accept the service and ministratioun of foure severall parish kirks, that are of no greater bounds, nor number of parochiners then the other?

39. Are the articles and formes accorded upon at Leith, in Januar 1571, altogether to be followed, or altogether presentlie to be cast off and rejected; or what indifferent thing were proper and convenient to be followed?

40. Is it against conscience and good order, that one man sall be appointed reader to sindrie kirks; or that one man's name sall be twise writtin in the booke to two sindrie places, that he may thereby gett twò stipends?

41. Whether hath the citie of Geneva committed sacriledge or not, in appointing of the rents and tithes of their bishoprick to their commoun treasurie, paying but a certan portion therof to the stipends of their ministers?

42. Since by the lovable custome of the primitive kirk, the kirk-rents were distributed in foure parts, viz. to the schooles, the poore, the upholding of kirks, and the minister or pastor, ought not the rents of all benefices and stipends now possessed and receaved by ministers, and the rents of all lands or tithes conqueissed and possessed by them, ather of the former kirk-rents, or by meane therof, by the new reformed Kirk of Scotland, semblablie be divided and applyed, according to this order of the primitive kirk?

These questions, conceaved apparentlie by advice of Mr Patrik Adamsone, sett them to farther consultatioun: yitt were not so difficill but were soone exped; and the whole heeds of policie agreed upon, and were to be putt *in mundo*, according to the ordinance of this last Assemblie.

A FACTION STIRRED UP AGAINST THE REGENT.

During all these Assembleis and earnest endeavoures of the brethrein, the regent was often required to give his presence to the Assemblie, and further the caus of God. He not onlie refused, but threatned some of the most zealous with hanging,[1] alledging, that

[1] Morton was not an unlikely person to execute such an arbitrary threat. In 1572, being publicly rebuked by Mr Andrew Douglas, minister of Dunglass, for living in adultery with the widow of Captain Cullen, the earl caused him to be appre-

otherwise there could be no peace nor order in the countrie. So, ever resisting the worke in hand, he boore foreward his bishops, and preassed to his injunctiouns and conformitie with England; and had without questioun stayed the worke of God, if God had not stirred up a factioun of the nobilitie against him. His domesticks were invyed and hated for their wealth, men esteeming that they acquired it by taking budds from suche as had sutes to him, to gett accesse. If there were anie mariages fell in his hands, his domesticks gott them: if the escheat of bastardrie or other casualtie, they fell in their hands. The nobilitie fretted, becaus they seemed to be despised, as though he had no need of them. He irritat the Erle of Argile by a particular; for he sent to him for the jewell called the H, becaus the precious stones were sett in the forme of the letter H, signifeing Henrie. Whether his ladie had gottin it from the queen, her sister, to keepe it, or by what meanes, it is uncertane. When he could not obteane it by requeist, he caused charge him by an officer to rander it, because it belonged to the king. He randered it, but his affectioun was alienated.

A CONSPIRACIE REVEELED.

Johne Sempill, sonne to the Lord Sempill, conspired the regent's death. The conspiracie was revealed by one of his complices, Gabriell Sempill, who avowed it before the counsell, and offered to fight with him at the single combat. The other confessed, and subscrived his confessioun with his owne hand, but fell a-swowne, and could not hold the penne in his hand, when he subscrived. After that he recovered, he asked mercie, but was convicted by an assise, and condemned to be hanged, drawin, and quartered: yitt, at the intercessioun of freinds, he was committed to waird in the castell of Edinburgh, to remaine during the regent's pleasure; and remained there till the regent resigned the regiment.[1]

hended; and on the clergyman persevering in his remonstrances, he was first tortured with the boots, and then hanged.

[1] For the royal proclamation, dated this year, freeing Morton from the charge of having confined the king's person in the castle of Stirling, see Appendix, letter B.

KING JAMES THE SIXT.

M.D.LXXVIII.

THE REGENT RESIGNETH HIS AUTHORITIE.

Upon the 4th of Marche 1578, a number of the nobilitie conveened at Stirline, and with the king's advice concluded, that James Erle of Morton sould be deprived; and that the young king take the governement in his owne hand, and a new counsell to be chosin, to direct him. They sent the Lord Glames, Chanceller, and the Lord Hereis, to him, to desire him to resigne, and give over his office *simpliciter* in the king's hand. There was no caus randered, nor could be pretended. The yeere sett doun in the act of the queen's dimissioun, for the time of the administratioun of regents, was the 17th yeere of the king's age, who was not as yitt fullie past the twelve yeere. When he perceaved that the Commendatar of Dumfermline, Secretar Tullibardin, Comptroller, and others in whome he trusted, had forsaikin him, he driveth not over time, till he gather his freinds to make resistance, but cometh from Dalkeith to Edinburgh upon the twelve of Marche; and after that an herald, a trumpeter, and a messinger, had proclamed at the Mercat Croce of Edinburgh his deprivatioun, and the entrie of the king in his owne person to his governement, he resigned his authoritie in presence of the people, at the Croce, and took instruments therupon. He governed the realme as regent five yeeres, three moneths, and two dayes. The time of his regiment was esteemed to be als happie and peaceable as ever Scotland saw. He was wise, stout, and ever upon the best side. The name of a Papist durst not be heard of; no theefe nor oppresser durst have beene seene. But he could not suffer Christ to raigne freelie, the rebooking of sinne, but made oppositioun to the mini-

sters of Edinburgh in publict. He mislyked the Generall Assembleis, and would have had the name changed, that he might take away the force and priviledge therof; and no questioun he had stayed the work of policie that was presentlie in hands, if God had not stirred up a factioun against him. Becaus he punished the most part of offenders by purse, he was compted covetous. The day after he resigned the government, the Lord Boyd chided with him, and he himself also repented that he had given place so rashlie to his enemeis, using the bare name of the king against him who was clothed with the authoritie with their own consents, which sould have continued yitt five yeeres. His partie was strong; Argile, Athol, Crawfurd; yea, which astonished him most, his friends Glames, Lindsey, Ruthven, the Secretar, the Comptroller. The burghes, Edinburgh in speciall, were alienated from him, and gave him no countenance.

THE CASTELL OF EDINBURGH AND PALACE OF HALYRUDHOUS, ETC., RANDERED.

Upon the 15th of Marche the Lord Glames and Lord Hereis, or, as others report, Maxwell, were sent to him, to crave that the Castell of Edinburgh, the Palace of Halyrudhous, the coine-hous, and jewells therin, sould be delivered. He randered the bare walls of the palace and the coine-hous, with the printing yrons, upon the 16th of Marche; but as for the castell, he caused his brother, the captan, furnish it with victuall, both secreitlie and openlie. But the toun of Edinburgh stayed him what they could. Upon the 17th of Marche the constable of the castell, Archibald Dowglas, brother to John of Tilliquhillie, at directioun of the captan, issued out, and came doun neere to the Butter Trone, where the toun held their guard; discharged three hacquebutts among them, before they were awar; slue two men and hurt one, and retired backe again to the castell. The toun riseth in armes, and watcheth all that night. After that, none within the castell durst come furth, and therefore were forced to rander the castell, which was randered upon Tuisday, the first of Aprile.

GLAMES SLAINE.

Upon the 17th of Marche the Lord Glames, Chanceller, comming doun from the castell of Stirline, to his owne loodging in the toun, and the Erle of Crawfurde going in to the castell, they mett together in a narrow wynd. The Lord Glames biddeth his companie give way to the Lord Crawfurd, and Crawfurd biddeth his give way to the Lord Glames. As they were going by other, their servants touched other, and after drew out their swords. Their masters turned; their parteis joynned. Manie were hurt on both sides; the Lord Glames slaine with the shot of a pestolet; the Erle of Crawfurd takin, and committed to waird, till farther order sould be taikin. The Lord Glames was a learned, godlie, and wise man. He sent to Beza when the work of policie was in hands, and craved his judgement in some questions of policie; wherupon Beza wrote the booke *De Triplici Episcopatu,* Of the Threefold Bishoprick, divine, humane, and devilish, and his answeres to his questiouns. Mr Andrew Melvill made this epigramme upon him after his death:—

"Tu leo magne jaces inglorius: ergo, manebunt
Qualia fata canes? qualia fata sues?"

Since lowlie lyes thow, noble lyon fyne,
What sall betide, behind, the dogs and swine?

A NEW COUNSELL CHOSIN.

It was concluded there sould be a counsell chosin to the number of twelve, and that foure of them sould subscrive with the king, viz., the Erles of Argile, Athole, Montrose, Glencarne; Lords Ruthven, Lindsey, Hereis, Newbottle, the Commendatar of Dumfermline, the Pryour of Sanct Andrewes, the Bishop of Orkney, the Erle of Cathnesse; extraordinars, Mr George Buchanan and Mr James Mackgill. The Erle of Atholl was made Chanceller,

and a parliament was proclaimed to be holdin the tenth of June, in Edinburgh, and articles sett doun to be concluded in it. The Erle of Morton went over the water to Lochlevin, and the new counsell came to Edinburgh the nynth of Aprile.

THE HEEDS OF A PROCLAMATION.

Upon Moonday, the fourteenth of Aprile, a proclamatioun was made at the Croce of Edinburgh, the heeds wherof were these following:—

1. For avoiding of dearth, that all cornes be threshed before the tenth of June nixt, under the paine of escheating.

2. That none keepe more victuall in girnell than to serve him and his familie a quarter of yeere, and that the rest be presented to the mercat within twentie dayes after.

3. That all customes, new and old, belonging to the king or the toun of Edinburgh, be discharged till October; and that all strangers bringing in victuall be favourablie interteanned, and thankfullie payed.

4. That none refuse anie lawfull current money in payment of their goods sold, or make anie bargan upon the selling of their victualls, or anie other goods, secluding the receaving of anie lawfull money.

5. A discharge of all licences granted before for transporting of victuals, and all other unlawfull and forbidden goods.

6. That none eat or prepare flesh upon Wedinsday, Fryday, or Saturday, till Michaelmesse.

THE THRETTIE-SIX GENERALL ASSEMBLIE.

The Generall Assemblie conveened in Edinburgh the 24th of Aprile, in the Magdalene Chappell. Mr Andrew Melvill was chosin Moderator, at whose desire the Assemblie appointed their brethrein, Mr Johne Row, Mr Robert Pont, Mr James Lowsone, Mr David Lindsay, to concurre and conferre with him at extraor-

dinar houres, to advise upon suche things as sall be thought meete to be proponned to the Assemblie.

COMMISSIONERS FROM THE COUNSELL.

In the secund sessioun, Mr Andrew Hay, Mr Johne Craig, and Johne Duncansone, were directed to the Lords of Secreit Counsell, to require that some of them might be elected as commissioners from his Hienesse, to assist the Assemblie with their presence and counsell. They returne with answere, that in regard of urgent effaires, they could not be present this day, but sould direct two the nixt day. In the nixt day, the Lord Hereis and the Abbot of Deir were present.

ARTICLES PRESENTED TO THE COUNSELL.

The brethrein appointed in the last Assemblie to present the Booke of Policie to the late regent, declared, in the thrid sessioun, that they presented it, together with the supplicatioun, and that a day was appointed for conference. But the alteratioun of the authoritie interveened. Yitt, to stay corruptioun in the entrie of the king's Majestie's governement, they presented to his Hienesse his counsell a supplicatioun and foure articles: one, for observing the act of parliament which concerneth suche as beare offices within the realme; another, to tak order with the late murthers committed in Stirline and Edinburgh; the thrid, for the policie of the kirk; the fourth, for support of the poore and countrie in this appearand famine: to which articles, as yitt, they had receaved no answere. The articles I find in a certan manuscript sett doun fullie, after this maner:—

1. That substantiall remedie be found out for releefe of the poore commouns in this present dearth.

2. That none be admitted in publict office or counsell, but suche as have givin confessioun of their faith, subscrived the articles of

religioun, and communicated at the Lord s Table, conforme to the act of parliament made at Edinburgh, the 15th of December 1567.

3. That the Booke of Policie might be advised upon, and commissioners chosin by the Secreit Counsell, to reasoun and confer with the commissioners of the Generall Assemblie; and a time sett to that effect, in the king's presence, before the holding of the parliament.

4. That the Sabbath day be universallie observed; mercats, playes, and all other impediments which may hinder the people to conveene to heare the Word, be discharged.

5. That adulterie, incest, murther, and other haynous offences, speciallie that late murther of the Chanceller at Stirline, be punished.

6. That no generall collector be chosin without advice of the Assemblie; but that the kirk may intromett with their owne thrids, according to the act of parliament.

The Assemblie thought it meete that the same articles sould be presented again to the counsell; and desired the Lord Hereis and the Abbot of Deir, who were present, to give their opinioun concerning the said articles. They answered, they came not to vote or conclude, but were directed by the counsell to heare and observe the proceedings of the Assemblie. They promised to insist with the counsell for answere to these articles.

In the fourth sessioun it was thought meete that Mr Andrew Hay and Mr David Lindsey sould be directed to the Lord Hereis and the Abbot of Deir, to putt them in remembrance of the answeres to be givin to the articles presented to the counsell; and likewise to require them to demand of the counsell, whether they be directed to the Assemblie, to give their advice in all things tending to the glorie of God and weale of his kirk, or to heare allanerlie; and if they find it expedient, to propone both the one and the other themselves to the counsell. They returned incontinent with this answere, that there were some difficulteis in the articles, and had appointed two of the counsell to reasoun upon them, with suche as the Assemblie sould appoint, the morne, at eight houres.

As to the persons directed to the Assemblie, they gave them no power, as commissioners for the king, to vote in the Assemblie, for they had not spokin the king in that mater: Alwise, as brethrein and members of the kirk, they sall give advice, counsell, and vote. There had beene hote reasoning betweene Mr David Lindsey, boldlie defending the libertie of the kirk, and Mr James Mackgill, answering as mouth of the counsell. Good men beganne to looke for little good of this new counsell; yitt the Assemblie appointed Mr Robert Pont, Mr Johne Row, Mr James Lowsone, Mr Andrew Hay, Mr Andrew Melvill, and Mr David Lindsey, to conferre with the deputeis of the counsell, and to reasoun upon the articles.

In the fyft sessioun they reported, that the said deputeis willed the Assemblie to name the persons whom they suspected of Papistrie, and to direct from their number some brethrein, to admonishe them to subscrive the articles of religioun approved and confirmed by act of parliament, and to communicat; and if they find disobedience, to intimat the same to the counsell, and to proceed against them with the censures of the kirk. The Assemblie nominated the Chanceller, the Erles of Cathnesse and Montgomrie, and the Lord Ogilvie, and ordeanned Mr Johne Row and Mr James Lowsone to conferre with the Chanceller, and to try him in the premisses: Mr Johne Craig and Johne Duncansone to conferre with the rest, and to report their answeres at five houres to the commissioners of countreis in the Great Kirk. As to the secund and thrid articles, no full resolutioun givin, but delayed till five houres. The observatioun of the Sabbath, taking away of mercats, and suche like, the deputeis thought meet that a supplicatioun sould be givin to the counsell, together with the judgement of the Assemblie theranent. The Assemblie appointed Mr David Lindsey and Johne Duncansone to penne the suppplicatioun betwixt and five houres. As for the Collectorie and Booke of Policie, they sould tak order before the time of the parliament. It was answered, that it belonged to the kirk to provide for the collectorie, according to their owne libertie granted by act of parliament. As to the policie, it was required, that instantlie time and place may be appointed, and persons chosin

to conferre with their commissioners, that all things may be duelie advised upon, before the holding of the parliament. They promised to advise with the counsell.

The brethrein appointed to travell with the lords suspected of Papistrie reported, in the nynth sessioun, that the Erle of Cathnesse desired to see the articles of religioun which he was desired to subscrive, and he sould give his answere. Ogilvie answered, he had subscrived the articles of religioun, and communicated before he departed out of Scotland; and if anie man doubted of his professioun, was content yitt to subscrive and communicat. The Chancéller and Lord Montgomrie were not in the toun. The Assemblie commanded the ministers and sessioun of the church of Edinburgh, or the minister of the castell of Stirline, to urge them to subscrive and communicat, in cace they resort within their bounds: otherwise ordeanned, that the ministers and sessioners of other touns where they sall happin to repaire, to admonishe them in like maner; and if they find them disobedient, after due admonitioun, to proceed against them with the censures of the kirk.

THE POLICIE TO BE RENEWED AND PRESENTED TO THE KING.

In the fourth sessioun it was intimated as followeth:—"Forasmuche as the heeds of the policie being concluded and agreed upon in the last Assemblie, by the most part of the brethrein, certan of the brethrein found some difficultie in the heed, *De Diaconatu*, wherupon farther reasoning was reserved to this Assemblie, it is therefore required, that if anie of the brethrein have anie reasonable doubt or argument to propone, that he be readie the morne, and then sall be heard and resolved." In the sixt sessioun, Aprile 26th, according to the ordinance made the day before, all persons that had anie reasonable doubt or argument to propone was required to propone the same. But none offered to propone anie argument in the contrare.

It was concluded in the eight sessioun, as followeth:—"Forasmuche as the Generall Assemblie hath thought meete, that the

travells takin by them upon the policie be presented to the king's Majestie and his Hienesse' counsell, it was found good, that before the copies therof were delivered, they sould yitt be reviewed and sighted by their brethrein, Mr Robert Pont, Mr James Lowsone, and Mr David Lindsey, and, being written over conformè to the originall, a copie to be presented by them to his Hienesse, with a supplicatioun penned by them to that effect, with another copie to the counsell, the time to be at the discretioun of the brethrein, so that it be done before the generall fast: And incace conference and reasoning be craved upon the heeds of policie, the Assemblie hath nominated Mr Johne Craig, Mr Alexander Arbuthnet, the Laird of Dun, William Christesone, Mr Johne Row, David Fergusone, Mr Robert Pont, Mr James Lowsone, Mr David Lindesey, Johne Duncansone, Mr Andrew Melvill, and Mr James Greg, to concurre and conveene at suche time as sall be appointed by the king and counsell, and as advertisement sall be givin them before by the saids three brethrein; and that the said commissioners, at the said conference, reasoun upon the heed of the ceremoneis, and how farre ministers may meddle with civill effaires; and if they may vote in counsell or parliament."

ACTS.

It was ordeanned in the thrid sessioun, that all bishops, and others bearing ecclesiasticall functioun, be called by their owne names, or *Brethrein*, in time comming.

2. In the seventh sessioun, it was ordeanned as followeth:— "Forasmuche as there is great corruptioun in the estat of bishops, as they are presentlie created within this realme, wherunto the Assemblie would provide some stay in time comming, so farre as they may, to the effect that farther corruptioun may be bridled, the Assemblie hath concluded, that no bishops sall be elected or admitted heerafter, before the nixt Generall Assemblie; and dischargeth all ministers and chapters to proceed anie wise to electioun of the said bishops in the meane time, and that this mater be propouned

first in the nixt Assemblie, that it may be consulted, what farther order sall be takin therin."

3. The Assemblie hath ordeanned, that no visiters of countreis give collectioun of vacant benefices, where there is qualified ministers serving the cure, but to the minister of the kirk wherof the benefice vaiketh, till the nixt Assemblie, under paine of deprivatioun from their offices; and if they be urged by the prince's letters, to shew this ordinance for their defence; and that this mater be motiouned again in the nixt Assemblie. This act was made by occasioun of complaint made by George Johnston, minister of Ankrome, who compleanned that Mr James Boyd, Bishop of Glasgow, upon a presentatioun directed to him, gave collatioun to Mr Hector Dowglas, of the Personage of Ankrome, where he had served the cure these five or six yeeres bypast; and that howbeit the benefice lyeth not within the bounds committed by the Assemblie to his visitatioun, and without consent also of the visiters of the bounds where the benefice lyeth.

4. That suche as violat the universall fast make their repentance two severall Sabboths; and according to the contempt, that the paine be aggravatted.

COMMISSIONERS CONTINUED.

The Assemblie continued the commissioners of provinces till the nixt Assemblie.

A FAST TO BE KEEPED.

The Generall Assemblie finding the universall corruptioun of the whole estats of the bodie of this realme, the great coldnesse and slacknesse of a great part of the professors in religioun, the daylie increasse of all kinde of fearefull sinnes and enormiteis, as incest, adultereis, murthers, and, namelie, recentlie committed in Edinburgh; cursed sacriledge, ungodlie sedition and divisioun within the bowells of this realme, with all maner of disorders and un-

godlie living, which justlie have moved and provoked our God, although long-suffering and patient, to stretche out his arme in his anger, to correct and visite the iniquitie of the land, and, namelie, by the present penurie and famine, joynned with the cruell and domestick seditions, wherupon doubtlesse greater judgements must succeed, if these corrections work not reformatioun or true amendement in men's hearts: seing also, the bloodie conclusions of the cruell councels of that Roman beast, tending to extermine and raze from the face of all Europ the true light of the blessed Word of salvatioun; for these causes, and that God of his mercie would blesse the king's Highnesse and his regiment, and make him to have a godlie and prosperous governement, as also, to putt in his Highnesse' heart, and in the hearts of his noble estats in parliament, not onlie to mak and establish good and politick lawes, for the weale and good governement of the realme, but also to sett and establishe suche a policie and discipline in the kirk, as is craved in the Word of God, and is conceaved and penned alreadie, to be presented to his Highnesse and counsell, that in the one and the other God may have his due praise, and the age to come an exemple of upright and godlie dealing; the Generall Assemblie, therefore, hath concluded that an universall fast sall be keeped throughout all the kirks of this realme, to beginne the first Sunday of Junie nixt to come, and to continue till the nixt Sunday therafter, inclusive, keeping the accustomed use of exercise according to the booke of publict fasting. And that this act be intimated to the king's Majestie and counsell, and his Grace and counsell humblie required to discharge, by proclamatiouns, all kinde of insolent playes, as Robinhood, King of May, and suche like, in all persons, als weill schollers as others, under suche paines as they sall thinke good.

MR THOMAS SMETON'S TRAVELS AND RETURNE.

Mr Thomas Smeton, having returned latelie to this countrie, was at this Assemblie. He went to France about the beginning of reformatioun, at what time he was removed from the Old Colledge of Sanct

Andrewes. He was desirous to know the right way to salvatioun, and left no meane untried. Understanding that the order of Jesuits was the most learned and exquisite order in Papistrie, he resolved to enter in their order during the yeeres of probatioun; and at the end therof, if he found all his doubts removed, he would continue a Jesuit; if not, he would yeeld to that light which his loving freinds, Mr Thomas Matlane, Mr Andrew Melvill, and Mr Gilbert Muncreif, shewed him when he was in France. So he entered in the Jesuits' Colledge at Parise. Mr Edmund Hay, a loving freind to him, perceaving him addicted to learning, and worthie to be wonne, directed him to Rome. By the way, he went in to Geneve; communicat his purpose with Mr Andrew Melvill, Mr Gilbert Muncreif, and craved their prayers. Of his purpose they could see no good warrant. They promised to pray for him.

He went fordward to Rome, and was weill receaved in a Jesuit's colledge. In this colledge there was a father, esteemed the best for witt and learning, who was ordeanned to travell with suche as were deteanned in prison for religion, to convert them. Mr Thomas craved to accompanie him at suche times as he went to the prisoners, which was granted to him. By the way, as they returned from the prison-hous to the colledge, Mr Thomas would tak the argument of the prisoners, and mainteane it against the Jesuit, for reasoning's caus, but indeid to be resolved. The more he insisted, he found the truthe the stronger. Thus he continued about a yeere and a half in Rome, till at lenth he became suspected, and therefore was remitted backe to Parise, through all the colledges of the Jesuits by the way; in all which he endeavoured more and more to have his doubts resolved, but found himself ever farther and farther confirmed in the truthe. Within a space after he came to Parise, he could not but discover himself. Mr Edmund Hay, perceaving his minde alienated from their order, ceassed not to counsell him freindlie and fatherlie, and suffered him to want nothing, and laboured to keepe him quiett, that he kythe not an adversarie against them. Perceaving the young man to be addicted to his booke, he advised him to goe to a colledge situated in a pleasant and wealthie

part in Lorane, where he sould have nothing to doe but to attend upon his booke. No greater allurement could be offered unto him. By the way, as he went toward Lorane, the Lord layed his hand upon him, and visited him with a hote fever. He was cast in perplexitie both of bodie and minde, and fought a fearefull battell in his conscience. At last, he determined to abandoun that damnable societie, and discover the falshoods, hypocrisie, and craft of the enemeis of the truthe. He returned backe to Parise, tooke his leave of Mr Edmund. Mr Edmund kythed nothing but love and freindship, and counselled him not to beleeve ministers, but to read and studie the ancient doctors. He manifested himself to the professors of the reformed religioun, till the massacre which ensued shortlie after; at the which, being narrowlie searched, he came to the English ambassader, Secretar Walsinghame, lying at Parise, whose hous was a girth to manie. He came with the secretar to England, soone after, where he remained schoolemaster at Colchester till his comming to Scotland.

When he came he was placed minister at Pasley, for Mr Andrew Polwart had left Pasley, and entered in the Sub-deanrie of Glasgow, when Mr David Cunninghame was made Bishop of Aberdeene. Not long after, Mr Andrew Melvill, Principall of the Colledge of Glasgow, putteth in his hand Mr Archibald Hammiltoun the apostat's booke, *De Confusione Calvinianæ Sectæ apud Scotos*, and moved him to confute the same. He was painfull, and skarse tooke time to refreshe nature; frugall, grave, modest, sweet, and affable in companie. He ceassed never publictlie nor privatlie to warne ministers and schollers to be diligent in their charges, and reading the controverseis: he would insinuat himself in the companie of noblemen, to wairne them to bewar of evill companie, and to disswade them from sending their sonnes to dangerous parts. Mr Andrew Melvill and he were the first motiouners of a colledge to be erected in St Andrewes for Divinitie, and ceassed never, at Assembleis or court, till the worke was begunne and sett fordward.

MARR AND MORTON SEAZE UPON THE CASTELL OF STIRLINE.

After that the Erle of Morton went over the water to Lochlevin, he seemed to doe nothing but to make alleyes and gardins: yitt was he contriving deeper maters. He sent for the Erle of Marr, and perswaded him to remove the Maister of Marr, Alexander Areskine, his father brother, and to tak the keeping of the castell of Stirline, and the king's person, in his owne hand. The erle returning backe to the castell of Stirline upon Saturday the 26th of Aprile, riseth tymouslie in the morning; calleth for the keyes of the castell, as if he were to ryde furth to hunt.[1] The Maister of Marr, not suspecting anie evill, came to lett him furth. The erle, assisted with his owne base brethrein, the Abbots of Cambuskenneth and Dryburgh, putt furth the maister and his servants, and suffered none to come in but whom they pleased. The lords that were in Edinburgh, hearing what was done, road to Stirline. But Marr suffered none to enter in the castell but one at once. The lords held their counsell in the toun of Stirline, and by proclamatioun charged that no nobleman sould come to Stirline but in this order: an erle with twentie-foure, a lord with sixteene, a baron with six; but, in the meane time, intended they to gather their owne forces. The Erle of Morton seemed to be ignorant of all things, as if the controversie had beene proper to the hous of Areskine; yitt, perceaving what the other factioun intended, returned from Lochlevin to Dalkeith. The lords were affrayed that the Erle of Angus and Marr were masters of the toun; yitt the Humes and Kers repairing thither, encuraged them. The mater was composed, as might be, for the time, viz., that the Erle of Marr sould keepe the king till the parliament, and find foure erles cautioners for his fidelitie. The lords returned to Edinburgh the eight of May. Upon the 23d of May, foure of eache factioun mett at Cragmillar, apart from their companeis; embraced other, dynned and supped in Dal-

[1] Morton denyed his part in this enterprise after his condemnatioun.—*Note in the original.*

keith, and came after supper to Edinburgh. But the Erle of Morton riseth earelie in the morning, and rydeth to Stirline, without their knowledge; where as they looked to have riddin all together to Stirline, and there to agree upon all things before his Majestie. And it seemed this was the onlie agreement that was made at Craigmillar. When the Erle of Morton came to Stirline he insinuated himself in Tullibardin's favour, and, as was reported, budded him, to perswade the young Erle of Marr, to whom he was uncle, to suffer him and his followers to come into the castell; which was obteaned. After he had gottin in his freinds and followers at sindrie dyets, the young erle durst doe nothing but as Morton commanded, fearing that he sould have removed him, and takin the keeping of the castell in his owne hand.

THE COUNSELL AND PLACE OF PARLIAMENT CHANGED.

Upon the tenth of June, the nobilitie conveened at Stirline to a counsell. The Erle of Morton craved that a new counsell might be chosin, that he might be one of the cheefe; and had procured a letter from the Queen of England in his owne favours, wherat some of the counsell were offended. Yitt manie assented, and he obteaned his intent. The Bishops of St Andrewes, Glasgow, and Aberdeen, his owne creatures, furthered his course. At this counsell, or rather conventioun, Morton remained in the castell, the rest of the nobilitie in the toun. Both factiouns were strong, and stood in aw of other. Loath was Morton to leave the king, or to come to the parliament in Edinburgh: therefore he procured that the parliament sould be holdin at Stirline, howbeit manie assented against their hearts. Proclamations were made in the king's name, that erles, lords, barons, commissioners, sould come to Stirline to the parliament, without conventioun of the king's lieges, under the paine of death. At this conventioun certan of the counsell were appointed to reasoun with certan of the ministrie upon the heeds of policie.

THE PARLIAMENT FENCED.

In the beginning of Julie, Argile, Atholl, Montrose, Lindsey, Ogilvie, Maxwell, Hereis, and the rest of that fellowship, conveened in Edinburgh, as was thought by manie, to have stopped the fencing of the parliament. But it was fenced the tenth of Julie, in the Tolbuith of Edinburgh, and continued till the 25th of Julie, and transferred to the castell of Stirline; for so had the king commanded. The lords resolved not to goe to the parliament, seing the Erle of Morton had both the king and castell in keeping; and, as they alledged, there could be no free parliament, seing it was holdin in a strenth, where men might not declare their mindes freelie. In the meane time, the king wrote to Edinburgh, Dundie, St Johnstoun, Glasgow, for a certan number to be sent in armes to attend upon the parliament; who were sent, according to the number prescrived.

THE THRETTIE-SEVENTH GENERALL ASSEMBLIE.

The Generall Assemblie conveened at Stirline the elleventh of Junie. The number was not frequent, becaus the indictioun therof depended upon the holding of the parliament, which was prorogued and transferred; and the time was so short, that all could not be advertised. After it was reasouned, whether this Assemblie was a continuation of the last, or a new Assemblie, it was concluded to be a new Generall Assemblie. Mr Johne Row, minister at Perth, was chosin Moderator. That maters might be advisedlie propouned, and more convenientlie handled, the Assemblie appointed Mr Robert Pont, Mr James Lowsone, Mr Andrew Melvill, Mr Johne Craig, and Mr Andrew Hay, to give their counsell to, and communicat with the moderator, in suche maters as are to be treatted in the Assemblie.

ACTS.

In the thrid sessioun it was concluded as followeth:—"Tuiching the act made in the last Assemblie, the 28th of Aprile 1578, concerning electioun of bishops and superintendents till this present Assemblie, and further order reserved thereto, the Generall Assemblie all in one voice hath concluded and provided, that the said act sall be extended to all times to come, ay and whill the corruptioun of the estat of bishops be alluterlie takin away; and that all bishops alreadie elected be required particularlie to submitt themselves to the Generall Assemblie of the kirk, concerning the reformation of the corruption of the estat of bishops in their persons: Which, if they refuse, after due admonitioun, excommunication to proceed against them." The Bishop of Dumblane willinglie offered his submissionn to the Assemblie.

2. Tuiching the act made in the last Assemblie, concerning collation of benefices to other persons than to the ministers of the kirks where the benefices vaike, and farther order to be takin in this Assemblie, the kirk and commissioners present have further resolved and concluded, that nather bishops, visiters, nor others bearing commissioun from the Assemblie, give collatioun of benefices beside or against the tenor of the said act, under the paines therin conteaned, till the nixt Assemblie, at which time, this mater sall be propouned again, that farther order may be takin therin.

3. Tuiching the punishment of bishops, ministers, and others bearing functioun, that sett fewes and tacks of their benefices and ecclesiasticall livings, or of anie part therof, or ministers and chapters that give their consent therto, without the consent of the Generall Assemblie, against the tenor of the acts made of before, this Assemblie hath concluded that the persons which sall contraveene the said act, sall be deprived from their offices and functiouns in time comming. And, becaus no lesse interest and hurt is wrought to the church, by suche as have no functioun in the kirk, and yitt possesse kirk livings, the brethrein have willed Mr Robert

Pont, Mr David Lindsey, Mr John Craig, the Laird of Lundie, and Mr Andrew Hay, to forme the act and order meete to be used against suche persons.

Commissioners or visiters of countreis were appointed in this Assemblie.

The brethrein appointed in the last Assemblie to present to the king's Highnesse and counsell the heeds of the policie of the kirk, reported that, according to their commissioun, they exhibited to the king's Majestie a copie of the heeds of the policie, with the supplicatioun to his Grace, who gave a verie confortable and good answere, that not onlie would he concurre with the kirk in all things that might advance true religioun, presentlie professed within this realme, but also would be a procurator for the kirk; and that, therafter, his Grace presented to the counsell the said supplicatioun, who nominated persons to conferre in the mater; and by his Majestie's procurement obteanned, that they might choose so manie ministers to conferre as was at lenth agreed upon. Which conference had with the commissioners appointed by the king's Majestie and counsell, was thought meete to be read over before the Assemblie. As to the supplicatioun devised in the beginning of the conference, tuiching these that sall vote in parliament in name of the kirk, the Assemblie thought the advice good, and appointed Mr Johne Row and Mr Robert Pont to penne the same. Concerning the remanent observations, the Assemblie proceeded orderlie as followeth:—

Cap. 1. The 18th article therof tuiching conference, was desired to be made plain. The Assemblie thinketh it sensible eneugh.

Cap. 2. The thrid article agreed, conforme to the conference.

Cap. 3. The seventh article to be farther considered. The tenth article thought plaine in the self. As to the twelve artiele, agreed to be framed according to the conference.

Tuiching the advice craved, what paine sall be putt to the non-residents, the Assemblie thought meete that civill law be craved, decerning the benefices to vaike through non-residence.

The nynth article agreed, conforme to the conference, and the

penaltéis of the persons excommunicated decerned to be horning and captioun, by a speciall act of parliament, to be executed by the treasurer, or others whom the king's Majestie and his Hienesse' counsell sall please to appoint.

Cap. 5. Agreed, with the two supplicatiouns desired.

Cap. 6. The perpetuitie of the persons of the elders agreed, conforme, &c.

Anent order to be takin for visitatioun of colledges, schooles, and hospitals, and the saids articles, with other articles to be givin in by the brethrein, to be seene and corrected by David Fergusone, Mr Andrew Hay, and the Commissioner of Kyle, Carict, and Cunninghame.

A PARLIAMENT HOLDIN AT STIRLINE.

Upon Tuesday, the 15th of Julie, the parliament was fenced, and sutes called in the great hall of Stirline. Upon the 16th day, the king was convoyed, after dinner, about ellevin houres, in his rob royall to the hall. The Erle of Angus bare the crowne, Lennox the scepter, and Marr the sword. Everie man being placed according to their degree, compeered the Erle of Montrose, Lords Lindsey and Orkney, as commissioners from the Erle of Argile, Atholl, and their adherents. My Lord Lindsey, after leave asked and granted, presented some letters to the king's Majestie, desiring them to be read publictlie in that conventioun, and to be insert in the bookes; and then beganne to protest in their names, that nothing be done there that might prejudge the nobilitie, their heyres, successors, and posteritie, of their liberteis granted by his predecessors, becaus it was not a free parliament, it being holdin within a strenth and castell; and that it sould not have the strenth of a parliament, but be null and of no effect; and protested for remedie of law, in cace it were otherwise. But they were commanded by the Erle of Morton, who occupied the Chanceller's place, to take their owne places. The Lord Lindsey answered, he would obey, if the king commanded. The king commanded, and they obeyed, and tooke instruments that they did so at the king's command. After exhortation made by Johne Dun-

cansone, upon the first of Joshua, verses 6, 7, 8, 9, 10, the Erle of Morton made an harang upon the causes of setting the parliament, to witt, the glorie of God, preservatioun of the king's person, and authorizing him in the governement in his owne person; for approbation and acceptation of the authoritie dimitted by him, and the discharge of all things bypast in his regencie; beside other particulars, which sould be propouned to the Lords of the Articles.

The Commissioners of Dumbar, Hadinton, Kelso, Jedburgh, Hawick, Selkirk, Sanct Andrewes, Aberdeen, and sindrie other burrowes, conveened the day following in the tolbuith of Stirline, and, after consultatioun, compleanned that they gott not entrie within the barr to their places, where as others having no place to vote gott entrie. The Erle of Morton excused himself with the ignorance of the keepers of the barr, and promised it sould be mended. The names of the Lords of the Articles were these:— The Erles of Morton, Angus, Lennox, Buchan, Eglinton; Lords Boyd, Ruthven, Uchiltrie; Abbots Dryburgh, Cambuskenneth, Glenluce; the two Commissioners of Edinburgh, Alexander Udward, and Henrie Nisbitt; the Proveists of Perth, Dundie, Aberdeen, Glasgow, Stirline, and Air. At the choosing of the Lords of the Articles, my Lord Lindsey made protestatioun, and likewise after the choosing. Morton said to him, "Yee may thanke God the king is young." He answered, he had made als good service to his Grace in his minoritie as anie there; and was readie to serve him in his majoritie, as he had done in his minoritie. After that Morton rounded in the king's eare, the king said blushing, and somwhat stootting: "Least anie man sould judge this not to be a free parliament, I declare it to be free; and these that love me will thinke as I think." Upon Fryday, the 17th day, a charge was proclamed with sound of trumpet at the croce of Stirline, that no person that sould give lawfull sute and presence in parliament depart; and a declaratioun that it was a free parliament, and sall be free to all the lieges that are absent to resort therunto.

The Lords being conveened, first, in the great hall, becaus the king came thither to passe his time, they came to the Lady Marr's

hall, where the Booke of Policie was read over: for at the last conventioun at Stirline, certan appointed to conveene at Edinburgh, the 23d of June, to witt, Morton, Hereis, Ruthven, Lindsey, Lundie, Caprinton, the Tutor of Pitcur, the Abbots of Newbottle and Deir; ministers, Mrs Robert Pont, Andrew Melvill, Andrew Hay, David Lindsey, and James Lowsone, the Bishops of Sanct Andrewes and Aberdeen, to visie the Booke of Policie exhibited to the king's Majestie, who agreed in all things, except in foure heeds, which were explained in the last Assemblie. Therefore, the twelve commissioners appointed by the Assemblie to attend upon the Parliament desired that the booke be ratified and approved in parliament. The Lords of the Articles alledged the mater was weightie, and required a long time for consultatioun, and that the whole bodie of the parliament could not stay so long; and, therefore, thought meet to depute some persons to conveene at a certane day to that effect. The commissioners of the kirk tooke this answere for a shift, or rather a refusall, becaus the booke was allowed before by these who conveened in Edinburgh, except in foure heeds, which craved not muche disputatioun. The Bishops of Sanct Andrewes and Aberdeen gave occasion of suche an answere; for they denyed that there was anie conclusioun at Edinburgh, but onlie conference and disputatioun. The commissioners desired, that so manie as were agreed upon might be concluded, confirmed, and established by law, and commissions givin to some to reasoun upon the rest; yitt that was not granted. The Erle of Morton would have had some points selected, to be established by law. It was answered, their commission would not suffer them so to doe. After delay from day to day, the Erle of Buchan, Lord Ruthven, and Bishop of Glasgow, were appointed to conferre with the commissioners of the kirk; to choose twelve, out of which number the parliament might choose six. The Commissioners of the Assemblie answered, they had no commissioun to that effect: that it became the Assemblie to collect out of the booke of God a forme of discipline and policie ecclesiasticall; to propone it to the prince; and to crave it to be confirmed, as a law proceeding from God; and that it became not

the prince to prescrive a policie to the kirk; and if they would appoint anie, they would not consent to it. The lords tooke it in evill part, and thought the king might call whom he pleased, and with their advice mak a law. So they choosed and appointed Erles Morton, Lennox, Buchan, Glencarne; Lords Boyd, Uchiltree, Ruthven; Bishops of Sanct Andrewes, Aberdeen, Glasgow; Barons Caprinton, Whittingham; Burgesses, the Tutor of Pitcurr, and Johne Arnot; Clerks, Mr George Buchanan, and Mr Peter Young, Mr Alexander Arbuthnet, Mr Clement Littill; Ministers, Messrs James Lowsone, David Lindesay, Johne Row, William Christesone, Johne Duncansone, and Mr George Hay, to conveene, reasoun, and conclude, or, at least, eighteene of them conjunctlie, and the conference to be reported and considered in the nixt parliament.

It is to be remembred by the way, that when the Booke of Policie was agreed upon in the Assemblie, and Mr Andrew Melvill, Mr Andrew Hay, and some others, desired it to be subscrived by the whole brethrein, Mr Patrik Adamsone said, "Nay, we have an honest man, our clerk, to subscrive for all; and it were to derogat from his faithfulnesse, if we sould all subscrive severallie." "Weill," said Mr Andrew Hay, "if anie man deny this heerafter, he is not honest;" and to Mr Patrik he said, before three or foure brethrein, "There is my hand, Mr Patrik: if yee come against us heerafter, I will call you a knave, howbeit never so publictlie." Mr Patrik accepted the conditioun. When Mr Patrik alledged before the lords, he refused to subscrive, as if he had denied all approbatioun; Mr Andrew Hay leadeth him by the hand to the nobleman who had informed him, and layed the blame upon him, and said to him, in presence of the nobleman, "O knave, knave; I will crowne thee for the knave of all knaves!" Siclyke at this time he denied, that at the last meeting at Edinburgh there was anie suche agreement as was reported.

Upon the 17th day, the Erle of Montrose, Lord Lindsey, and Bishop of Orkney, were sent for by the Lords of the Articles, and accused as authors of noveltie, seditioun, and molestatioun of the

parliament. Being demanded, if they would stand to their commissioun and protestatioun, the bishop passed from them for his owne part. The other two adhered to their protestations, and were charged by the counsell to keepe their loodgings. Montrose obeyed for certane dayes, but after went without licence to Edinburgh. Atholl had left Edinburgh, and appearandlie the caus. But being advertised by a post sent after him, he returned. The Lord Lindsey stayed some few dayes, and then departed without licence, but, as was deemed by manie, inclynned to Morton's factioun. There was some controversie betwixt the Erle Bothwell and the Erle of Arroll, about their prioritie of place and vote in parliament. It was decerned, that Bothwell sould have the first place, wherupon Arroll refused to vote.

Upon Fryday, the 25th of Julie, the last day of the parliament, these persons following being present, the Bishops of St Andrewes, Glasgow, Aberdeen, Murrey, and Orkney; Abbots and Pryours, Glenluce, Dryburgh, Cumbuskenneth, Inchaffrey, Culrosse, Monymusse, Pluscardie; Erles Morton, Angus, Lennox, Marr, Bothwell, Eglinton, Glencarne, Buchan; Lords Ruthven, Yester, Boyd, Uchiltrie, Sinclare, Cathcart, Oliphant, Saltoun, and Somervell; the Commissioners of Burrowes, except some few in the south, the acts were voted and concluded, viz., the ratificatioun and establishing of the authoritie in the king's person, a declaratioun that the parliament was lawfull and free, a discharge givin to James Erle of Morton of his regiment, a ratificatioun of the dimissioun of his authoritie, together with the acceptatioun of the same in the king's owne person; a nominatioun and electioun of a new counsell to the king, to witt, the Erles of Morton, Argile, Lennox, Rothesse, Glencarne, Eglinton, and Buchan; Lords Boyd, Uchiltrie, Cathcart; Abbots, Dryburgh, Cumbuskenneth, Atholl, and other the king's officers, which sall indure, till farther order be takin after by a parliament, and sall conveene at Stirline, or where it sall happin the king to be resident: that foure, at least, sall remaine with the king, by course, for two moneths, and three sall subscrive anie thing needfull with the king; and in absence of the secre-

tarie, Mr George Buchanan and Mr Peter Young sall subscrive suche things as belong to his office: that it sall be leasome, notwithstanding, to anie of the rest to remaine all the yeere, if they please. The foure appointed to remaine the first two moneths were Morton, Lennox, Boyd, and Cumbuskenneth. Their oathes were taikin, and their hands holdin up, to give faithfull counsell, and the king promised, in the word of a prince, to follow the same. A commissioun granted for visiting the Majestie and Lawes collected in commoun places by Mr James Balfoure and Mr Johne Skeene. A commission for the Policie of the Kirk. The rest of the things concluded may be seene in the acts of parliament extant in print.

PREPARATIONS OF THE FACTIONS ON BOTH SIDES.

Upon the 26th of Julie, the toun of Edinburgh's men of warre came from Stirline to Leith, and upon the Lord's day, the 27th, came to Edinburgh about sermon time, and assisted the publishing of two proclamations; the one, charging to stay all waging of men of warre, without commissioun from the king; to apprehend and imprisson suche as were alreadie taikin up: another, to keepe their toun free from entering of great companeis of men, under all hiest paine. The lords were offended, becaus the proclamation was made without their advice. Mr James Lowsone in sermoun exhorted the lords to concord. He granted, that the ambitioun and avarice of one man was intolerable; that it was not eneugh that one sould occupie the king's eare: "Yitt," said he, "that is not a sufficient provocatioun to divide the countrie, to hazard the liberteis of the realme for the same, to cast the king's person in perell, and religioun in danger." Upon the Moonday following, Argile, Atholl, and their adherents, sent for the counsell of the toun, and sessioun of the kirk, and desired them to joyne with them for the king's deliverie; at least, to have secure remaining among them, and incace they went to Stirline, to have free accesse at their returne. The citicens were divided among them-

selves, yitt at length, by moyen, their desire was granted. When the drum was beattin, and the trumpet blowin, for leveing of souldiours to Captan Hume, the lords caused breake the drum, and take the trumpet from the trumpetter. Upon the 29th of Julie, Angus was proclamed lieutenant to the king, and all men charged to obey him. Some were sent to touns and villages of the countrie, to wage men to Captans Hume, Crawfurd, Prestoun, and Lambie, but came no speed; and for a hundreth horsemen to Carmichaell and Captan Montgomerie. Preparatiouns were made on both sides. Mr Bowes, the English ambassader, Mr James Lowsone, Mr David Lindsey, Mr Robert Pont, went to Stirline, to travell for agreement. They desired the Erle of Morton to goe to his owne dwelling-places, and offered, that Atholl and Argile sould doe the like. They desired likewise that the king might be delivered to Alexander Areskine, to be keeped in the castell of Edinburgh. But they could effectuat nothing. Wherupon Atholl, Argile, Montrose, and their adherents, encouraged to sett fordward, made a proclamatioun, the tenor wherof followeth:—

A PROCLAMATION MADE BY ATHOLL'S FACTION.

"Forasmuche as it pleased the king's Majestie, upon the 12th of Marche last, to conveen the most part of the nobilitie and estats, to take deliberatioun and advice in all things that concerned the weale, quietnesse, good rule, and policie of this countrie, and most speciallie, for reformatioun of suche enormiteis and extortions as were committed in the regiment of the Erle Mortoun, which by time could not eshew (through the manifold greefes and displeasures of the nobilitie) an open hostilitie and civill warre, the messinger of a lamentable decay and ruine to this kingdome; wherin, of good providence and foresight, it pleased the king's Majestie, for diverting and appeasing of the troubles and perturbations appearing, to re-establish a perfyte love, union, and concord, among the whole subjects, to accept and receave the governement in his owne person, (and that upon the Erle of Morton's voluntar dimis-

sioun of his authoritie;) craving onlie, that in his tender age and minoritie, he might be supplied by the good counsell, wisdome, and experience of an ordinarie counsell of his nobilitie, which being lawfullie chosin and sworne of the most sufficient and best able for that functioun, their sessioun and residence was commanded to be at Edinburgh, where, in ministring justice to the complaints of the people, and ordering the publict effaires of the commoun weale, they abode till the Erle of Morton, emboldenned through ambitioun and hatred, and impatient of the prosperous rule and generall good order that ensued upon their diligent care and vigilant conventioun, by his apostat and suborned instruments, surprised in plaine hostilitie the king's hous and person, injuriouslie displaced the keeper, and commanded his tryne and familie, with others the king's Majestie's servants, to the gates, and all under the pretended and heritable title of the young and innocent Erle of Marr, by the craft and perverse counsell of his unnaturall kinsmen addressed to that treasoun; the fearefull and dangerous report wherof being certified to the counsell, they resorted, at their possible diligence, to Stirline; and to lett passe all occasiouns that might disturbe the quiett estat of the countrie, or devolve the king's person in further perrell or hazard, they permitted the keeping and administratioun of the king's hous to the said Erle of Marr, trusting, through moderatioun and lenitie, to mitigat and restrain all further attempts prejudiciall to the king's Majestie and his realme.

"But defacing the ancient fidelitie and reputatioun of their hous, to the great regrate of all men, they persist, being blinded by the detestable and unhappie counsell of their great oracle, the Erle of Morton, who will prescrive them no stay, till he have drivin them in extreme perdition, and made them the miserable instruments of their owne destruction. And yitt he would pretend himself innocent, and by his absence excusable of their seditious interprise, if the progresse of his actions sensyne did not prove him to be the verie patron and deviser of that odious and treasonable conspiracie. For frome his admissioun in counsell, and entresse in the king's hous, wherefra he will not be removable, he hath so disordered all

things according to his appetite, so farre thralled and subdued the king's Majestie's will and pleasure, that all free and liberall accesse, all secreit purpose and communicatioun with his Majestie, is utterlie denied unto his Highnesse' most loyall and obedient subjects. He hath, with his adherents, usurped the lawfull jurisdictioun of the king's Majestie's chosin and lawfull counsell. He hath, against the king's Majestie's proclamations and inviolable edicts, against all consuetude, justice, and law, reduced and translated the seate of the parliament and assemblie of the estats from Edinburgh, the capitall toun of this realme, to their castell and strenth of Stirline, in manifest abrogatioun and diminutioun of the libertie and power of the three estats, the onlie stowpes and pillers of the crowne. He had wairded the Erle of Montrose and Lord Lindsey, for their lawfull protestations in their imprissouned parliament. And now, to absolve his whole designe and enterprise, he waged an armie at the king's cost and charge, to mainteane this his usurped authoritie, to worke the utter wracke and exterminioun of the king's Majestie's faithfull and obedient subjects.

"Wherefore we, the Lords of Secreit Counsell, and others of the nobilitie, upon the great and weightie respects moving us, having considered, that the continuance of thir calamiteis can import nothing ellis but the ruine and desolatioun of this kingdome; seing, that long suffering and notorious patience hath emboldenned and augmented their outrageous insolence and presumptioun, we have sworne and resolved (all difficulteis postponned) to withstand and resist all disorder, extortioun, and violence, as under the abused name and authoritie of the king's Majestie sall be exercised by the Erle of Morton upon his Hienesse' innocent and obedient subjects; and to spend and hazard to the uttermost of our lives, lands, and power, for the king's Majestie's deliverance and libertie, wherof, we are assured some day to receave a joyfull and gracious recompence. But becaus the successe of a civill warre is alwise greevous and dammagable, through the lamentable inconveniences which theron ensue, we protest before God and man, that we putt our selves in armour, and prepare our selves to defend, with greefe and

displeasure of our mindes; and most heartilie desire, that suche great calamiteis and misereis as are like to fall out upon this civill warre, might be averted and pacified with our onlie blood, if so we might please God. But seing all our reasonable requests are rejected, and our adversars will be judges in our caus, we protest again, that our onlie purpose and intent is, to restore the king's Majestie to his former libertie, to bring the governement of this realme into his owne power, and to deliver the kirk of God and commoun weale from the tyrannie and oppressioun of them that ever sought, and now seeke, the lamentable overthrow of religioun and policie; having nather regard to our owne privat commoditie and gaine in this caus, nor led by ambitioun, avarice, nor anie malicious desire of revenge, as knoweth the Lord, whose glorie and truthe we seeke to defend and mainteane, with the king's dignitie, peace, and tranquillitie of this realme.

"Therefore we, the chosin counsellers of the king's Majestie, and remnant of the nobilitie heere assembled, ordeane, command, and charge officers of armes, to passe to the mercat croces of the burghes of Edinburgh, Hadinton, Cowper in Fife, Dundie, Perth, Glasgow, Irwing, Stirline, Air, and all other head burrowes within this realme; and there, by open proclamatioun in our soverane lord's name and authoritie, command and charge all and sindrie our soverane lord's lieges, within the age of sixtie and sixteen yeers, that they, and everie one of them, prepare and addresse themselves in their most substantious and warlike maner, with fyfteene dayes' provisioun, to adcompanie us, the said chosin counsellers and nobilitie, toward the burgh of Stirline, the tenth day of August instant; there to remaine during the said space, to obteane the king's Majestie's libertie and deliverance, under all hiest paine and charge that after may follow: With certificatioun to them, if they faile, they sall be reputed partners, and guiltie of the king's Majestie's thraldome and detention. August 1578."

GATHERING OF FORCES ON THE OTHER SIDE.

The Erle of Angus, generall lieutenant, made a proclamation upon the fourth of August, declaring his commissioun to convocat his Grace's lieges in warlike maner, for persute of certan disobedient persons, their assisters and partakers, by fire and sword, and all other kinde of hostilitie, who have putt themselves in armes, and levied certane bands of men of warre, minding to attempt farther forces against our soverane lord's deerest person, and the estat and quietnesse of this realme; and charging in his Hienesse' name, to conveene and passe fordward, for persute of the saids persons, and to addresse themselves to Stirline, against the tenth day of August, in warlike maner, with provision of fyfteene dayes' victuall. The Erle of Morton caused send missives through the countrie, subscrived by the king, requiring particular persons to repaire, with their freinds, houshold servants, and dependers, boddin in feare of warre. The Erle of Morton his owne missive was sent soone after to some particular freinds, wherin he purgeth himself of the reports that went, that maters were done without the king's advice; willing them to repaire to Stirline, to know his Majestie's owne minde.

FORCES ON BOTH SIDES GATHERED AT STIRLINE.

Upon the elleventh of August, at nyne houres in the morning, the Erles of Atholl, Argile, Montrose; Lords Maxwell, Seton, Livingston, Innernieth; the Maister of Lindsey, Coldingknowes, Cesfurd, went out of Edinburgh to Linlithquo; and upon the twelve went to Fawkirk, accompanied with a thowsand men, hors and foote. The Erle of Angus came out of Stirline, after noone, with eight hundreth or nyne hundreth hors. Both parteis were readie to fight; but the Erle of Morton willed Angus to retire with expeditioun. There was no skirmish, but onlie a provocation to a singular combat, betwixt James Johnston, a follower of the

Erle of Angus, and one Tait, a Tiviotdaill man, attending on the Laird of Cesfurd. They ranne together with speares. Tait was slaine, Johnston was somwhat hurt. The Erle of Angus, at the Erle of Morton's desire, retired upon the thritteenth day. The forces of the other partie increassed; for there came to the Erle of Argile, 2500 foot men, to the Erle of Montrose, 300 men, to the Erle of Atholl, 1600 men. After this, everie lord and baron brought in their forces, till the number amounted to 7000 men, or thereby. The forces on the other side increassed to the number of 5000, of which number, manie resorted rather for obedience to the proclamatioun, than favour to Morton, and affirmed, they would not strike one stroke against the other partie. After some skirmishing betwixt the two parteis, the English ambassader, Mr Bowes, Mr James Lowsone and Mr David Lindsey, ministers, travelled betweene them; and, after comniuning, it was agreed as followeth:—

THE AGREEMENT.

"James, by the grace of God, King of Scots, to all and sindrie to whose knowledge thir present letters sall come, greeting. Witt yee, for the tender love and affectioun we beare to all our subjects, forseing the wracke and calamitie with which our realme sall be afflicted, if the present division and appearand trouble sall be suffered further to proceed: Therefore, with advice, consent, and mature deliberatioun of the Lords of our Secreit Counsell, to the pleasure of God, and publict quietnesse of our realme and subjects, at the earnest travells of our deerest sister, the Queen of England, our cousin, by her ambassader resident with us, we have pronounced, declared, statuted, and ordeanned, and by thir our letters pronounce, declare, statute, and ordeane, as followeth:—First, That all hostilitie sall, without anie delay, ceasse; all forces be dissolved, except some bands of horsemen alreadie reteaned upon our charges; which bands, we will, sall be onlie imployed for the quietnesse of our borders, and others our effaires, and not against the lords at Lin-

lithquo, or anie their adherents in this late actioun. Forasmuche as we understand, all are throughlie perswaded, that the lords conveened at Edinburgh tooke armes for the love and tender affectioun they bare to us, we accept and allow the same, since the tenth of Junie last, as good services done; and all the parteis and adherents in the same are accepted by us as good subjects and servants. We will, that our right trust cousin and counseller, the Erle of Argile, sall remaine with our counsell, and be loodged within our castell at Stirline, with the like number as anie other noble man is loodged therin, saving the Erle of Marr, who hath the custodie therof: and that the said Erle of Argile sall have the like accesse unto us and our eare as anie other noble man about us sall have. We will likewise, that the Erle of Montrose and Lord Lindsey sall be added to our counsell, as two of the three appointed by our late act of parliament, and the thrid to be nominated when we thinke time. We will call eight noblemen, with advice of our deerest sister and cousin, the Queen of England, and by their counsell and assistance, God willing, before the first day of May nixt, we will tak order for reconciliatioun of our nobilitie to be united, for all actions and greeves fallin among them by occasioun of thir troubles, and finall ending of the same. We will, that our keepers of Edinburgh and Dumbartane sall reteane the custodie and possessioun of the samine, untill we, with advice of the eight noblemen to be called unto us, have givin order in the caus remembered, so as the samine may be made before the first day of May forsaid, at the farthest. Our will and pleasure is, that all the noblemen, barons, and gentlemen, our subjects, comming to us, to doe their dutifull services and good offices, sall be admitted to our presence and free speeche, as to good subjects apperteaneth. Our will is also, that the Laird of Drumquhassill sall be relaxed from his horning, to the effect he may make his compts, and therafter returne to his charge. Givin under our signet, and subscrived by us, with advice of the Lords of our Secreit Counsell present. At Stirline, the 15th day of August, and of our raigne the twelve yeere, 1578. JAMES R."

"At Stirline, the 14th of August 1578.

"That all forces dissolve after the king's proclamation, the men of warre with their ensignes folded and undisplayed.

"The forces being dissolved, the Erle of Angus sall immediatlie give up his lieutenantrie, which lasteth but for the king's will onlie.

"The gentlemen of my Lord of Argile's companie, to the number of threttie or fourtie, sall have accesse to his Majestie's presence.

"My Lord of Atholl's companie may safelie passe home by Stirline Bridge; but none come within the toun, saving some gentlemen, to the number of threttie or fourtie, who also may have accesse to see the king.

"None in their returning sall doe injurie to the countrie folkes through whom they passe, or tak anie of their cattell or goods, but with their good wills, and for thankfull and readie payment, for whom their lords and maisters sall answere.

"All prisoners, horse, and armour takin, sall be sett at libertie and restored. If the Laird of Cessford's man's hors was tane in the Burrow Mure, by anie that served in this actioun for the king, the hors sall be restored, otherwise, lett the restitutioun be suted by order of law.

"The Proveist of Edinburgh's waird sall be discharged, that he may enter home."

The meaning of the fyft article of the king's declaratioun is, that the lords that conveened at Linlithquo sall have the nominatioun and appointment of foure of the said noblemen; and that they sould be called by the king's Grace and his counsell to treate upon the causes mentioned in the article.

THE THRETTIE-EIGHT GENERALL ASSEMBLIE.

The Generall Assemblie conveened at Edinburgh, in the Neather Counsell-hous, the 24th of October 1578. David Fergusone, Minister at Dumfermline, was chosin Moderator. For better ex-

peditioun of maters in this Assemblie, it was thought meet, that the moderator conveëne with Mr James Lowsone, Mr Andrew Melvill, Mr Johne Row, Mr Andrew Hay, Mr Thomas Smeton, Mr Johne Craig, Mr Robert Pont, everie day, at seven houres in the morning, and two afternoone, in Mr James Lowson's galrie; confer and advise upon suche things as sall be thought meete to be propouned to the Assemblie.

REQUESTS.

In respect that, at the desire of the Assemblie, some of the nobilitie were conveened, viz., my Lord Chanceller, the Erle of Montrose, my Lord Seton, my Lord Lindsey, it was declared and shewed to them by the moderator, in name of the Assemblie, what care and studie the Assemblie had takin, to keepe and intertean the puritie of the sincere Word of God unmixed with anie inventioun of their owne heeds, to reserve it to the posteritie heerafter. And seing that the true religioun is not able to continue and endure long without good discipline and policie, in that part have they also imployed their witt and studie, and drawin furth of the pure fountans of God's Word, suche a discipline and policie as is meete to remaine within the kirk; which they presented to the king's Majestie, with their supplicatioun; at whose discretioun, certane commissioners were appointed to reasoun with suche as were deputed by the Assemblie: where the mater being disputed, was resolved and agreed to a few heeds, and therafter presented again to the Lords of the Articles, that the said discipline might take place, and be established by the lawes and acts of the realme; where not the lesse, their travell hath not succeeded. Praying, therefore, the nobilitie present, als weill openlie to mak professioun to the Assemblie, if they would allow, affirme, and mainteane the religioun presentlie established within this realme, as also, the policie and discipline alreadie spokin of, and labour at the king and counsell's hands for an answere to the heeds after following:—To witt, That his Grace and counsell would establishe suche heeds of

the policie as were alreadie resolved and agreed upon by the said commissioners; and caus suche others as were not agreed upon finallie to be reasouned, and putt to an end: And that his Grace and counsell will restore the kirk to the benefite of the act of parliament concerning the thrids; and that none vote in parliament, in name of the kirk, except suche as sall have commissioun of the kirk to that effect: And that presentations of benefices be directed to the commissioners of countreis where the benefice lyeth. And to the effect that the mater may be the better and sooner exped, that their lordships would appoint suche times convenient thereto as they may best spaire, that suche brethrein as sall be nominated thereto may attend upon their honours. The noblemen answered, that some of them had made publict professioun of before, and alwayes and now declare they professe the religioun presentlie established within this realme, and sall mainteane the samine to their power. As to the rest, they thinke good the king and his counsell be suted, and they sall assist with the Assemblie for an answere. The time to that effect they sall notifie the morne to the Assemblie. These were the noblemen who had drawin a factioun against the Erle of Morton, a great opposite to the Booke of Policie. So it pleased God to worke.

THE BISHOP OF GLASGOW HIS ANSWERE TO THE ASSEMBLIE.

Mr James Boyd, Commissioner of Kyle, Carict, &c., was desired to submitt himself to the Generall Assemblie, for reformatioun of the corruptioun of the estat of a bishop in his person, according to the acts of the Assemblie. Farther, he was delated for negligence in his visitation, negligence in preaching at the kirk of Oswald, which he had takin to be his particular kirk; slackenesse in discipline, and for giving collatioun to Mr Hector Dowglas of the benefice of Ankrome, with command to the reader to give him institutioun therof, there being another minister there actuallie serving the cure at the said kirk. To the first he

answered, that he understood not the meaning of the said act concerning submissioun: alwise, was content to offer such reasons to the moderator and brethrein that are to confer with him, as ather they may be satisfied, or he may be perswaded by their better reasons to yeeld. As to his non-visitation, he granted he had not visited Kyle and Cunninghame, for deadlie feeds there; and desired to be disburthenned of that charge, and his visitatioun to be limited to him about Glasgow. As for preaching, he had preached in the kirk of Oswald, when he was in the countrie, and other times in Glasgow, and craved at the Assemblie that he might travell at Glasgow. As to the last, answered, it is the commoun forme of collatioun that he keeped.

In the fyft sessioun, the moderator and brethrein appointed to conferre with him thought best he sould publishe his owne answere to the Assemblie. He gave in his answere in writt as followeth:— "First, I understand the name, office, and modest reverence borne to a bishop, to be lawfull and allowable by the Scriptures of God; and being elected by the kirk and king to be Bishop of Glasgow, I esteeme my calling and office lawfull. As tuiching the execution of the charge committed to me, I am content to endeavoure, at my uttermost abilitie, to performe the same, and everie point therof, and to abide the honorable judgement of the kirk from time to time, of my offending, seing the charge is weightie; and in laying anie thing to be layed to my charge, to be examined by the canon left by the Apostle to Timothie, 1 Ep., cap. iii., seing that place was appointed to me at my receaving, to understand therefra the dueteis of a bishop. As toward my livings and rents, and other things granted by the prince to me and my antecessors for my serving of that charge, I recke the same lawfull. As to my duetie to the supreme magistrat, in assisting his Grace in counsell or parliament, being craved thereto, I esteeme I am bound to obey the same; and that it is no hurt, but a weale to the kirk, that some of our number be at the making of good lawes and ordinances. In doing wherof, I protest before God I intend never to doe anie thing but that which I beleeve sall stand with the puritie of the Scrip-

tures and a weill reformed countrie; as also, a good part of the living which I bruike hath beene givin for that caus."

This answere being read in open Assemblie, and considered, after voting, the whole brethrein judged it to be no answere to the act, nor to satisfie the intent therof. Alwise, he was required, at afternoone, to returne with better advice, as the Assemblie prayeth to God he might doe. What his answere was cannot be found in the Register, becaus there wanteth two leaves rivvin out by the sacriligious hands of the bishops, in the yeere 1584.

MINISTERS CENSURED.

Complaint was made upon some ministers that had left their owne flocke, and some *simpliciter* the functioun of the ministrie, of which number was Mr Johne Colvill. Commissioun was givin to trie him and the minister of Elgine; and the commissioners of countreis were commanded to trie the rest who were not present. It is to be remembered by the way, when Mr Johne Colvill was to be censured for deserting of the ministrie, and had found favour with all the ministers in the Synod of Glasgow, Mr Andrew Melvill dealt sharpelie with him. When he said, "I will not professe povertie;" "Goe, then," said Mr Andrew, "thou will denie not onlie the ministrie, but also true Christianitie." This came to passe manie yeeres after, and Mr Johne became indeid a professed *Apostata*.

The Assemblie, in respect that Mr Hector Dowglas was admitted by the Bishop of Glasgow, who had no jurisdictioun in the bounds where the parish of Ankrome lyeth, being otherwise also untryed by him; and the triell of his doctrine, after being committed to certane brethrein having commissioun thereto in Stirline, and refused by him, and being after examined by certan of the brethrein upon the rudiments of religioun, and found rude therin; as also, in respect of his continuance in not compeering, as was appointed by the Generall Assemblie, to give specimen of his doctrine: Therefore, the Assemblie hath deprived, and depriveth, the said Mr Hec-

tor of his said office and functioun in the ministrie, as unmeet and unable for the same; and ordeanneth, that he be charged by the commissioner of the countrie to dimitt his benefice; and if he refuse, after admonitioun, to proceed to excommunicatioun against him, under paine of suspensioun of the said commissioner from his office of the ministrie, during the will of the Assemblie.

COMMISSION.

Commission was givin to some brethrein, to trie if Mr Robert Hammilton, minister at Sanct Andrewes, had obeyed the ordinance of the Assemblie concerning the leaving the Provestrie of the New Colledge; and to lay to Mr Patrik Adamson's charge the transgressions committed by him against the tenor of his submissioun, and to receave his answere; as also, to charge him to remove the corruptions of the state of a bishop in his persoun, particularlie to be givin in to him; and if he refuse, after due admonitiouns, to appoint some person to excommunicat him.

ACTS.

Forasmuche as the bishops are to be charged to remove the corruptions in that estat, the Assemblie hath sett doun the speciall corruptions, which they desire suche as will submitt them to the said Assemblie to correct, with promise, that if the Generall Assemblie heerafter sall find further corruptioun in the said estat than is hitherto expressed, that they be content to be reformed by the said Assemblie, according to the Word of God, when they sall be required thereto, viz.: That they be content to be pastors and ministers of one flocke; that they usurpe no criminall jurisdictioun; that they vote not in parliament, in name of the kirk, without advice from the Assemblie; that they tak not up, for the maintenance of their ambitioun and ryotousnesse, the emoluments of the kirk, which may susteane manie pastors, the schooles, and the poore, but be content with reasonable livings, according to their office; that

they clame not to themselves the titles of Lords Temporall, nather usurpe temporall jurisdictioun, whereby they may be abstracted from their office; that they impyre not above the particular elderships, but be subject to the same; that they usurpe not the power of Presbytereis; that they tak no further bounds of visitatioun than the Assemblie committeth to them.

2. Forasmuche as there are diverse persons who, being deposed from their functions in the ministrie by the Generall Assemblie, or commissioners of countreis, for offences committed by them, bruike still the benefices and ecclesiasticall livings wherupon others sould be susteanned that sould travell in the ministrie, therefore, the Assemblie hath concluded, that all suche beneficed persons that are alreadie, or heerafter sall be, deposed for their offences in their functioun of the ministrie, sall be charged by commissioners of countreis to dimitt the said benefices possessed by them, to the effect others may be provided thereto who may travell in the said functioun, under the paine of excommunicatioun to be used against them: wherin, if they faile, after admonitions, to proceed with the sentence of excommunicatioun against them, under paine of suspensioun of them from their functioun in the ministrie, during the will of the Assemblie; and that this act be executed against the Bishop of Dunkelden, and the minister of Sawline, by the commissioners of the countreis where they dwell, betwixt and the nixt Assemblie, under the paine forsaid.

3. Forasmuche as sindrie persons within this countrie have sent their childrein within age over sea, to parts where Poprie and superstitioun is mainteanned, upon pretence of seeking farther instructioun and learning, as also, others, being of perfyte age, transport themselves furth of the realme upon the samine pretence, wherethrough they become, for the most part, corrupt in religioun, as by evident experience is daylie seene, the Assemblie hath concluded and ordeanned, that the parents of suche childrein as within their minoritie are sent by them to the saids places, or heerafter sall send, where the said Poprie is taught and mainteanned, sall be charged by their owne ministers respective to call backe their child-

rein from the saids places with all convenient expeditioun, under the paine of excommunication; and if they disobey, that they proceed with excommunication against them: and that suche as are of perfyte age, whether alreadie past, or that sall heerafter passe to the saids places, sall be charged to remove out of the same, under the same paine to be executed against them; and if they disobey, to be excommunicated by the minister of the place where they remaine, before they depart out of the countrie.

THE CONFERENCE AT STIRLINE CASTELL, IN THE UTTER HIGH CHAMBER, DIRECT ABOVE THE KING'S MAJESTIE'S INNER HALL, BY THE COMMISSIONERS UNDER-WRITTIN.

At the Castell of Stirline, the 22d day of December 1578, conveenèd—

The Erle of Buchan.
The Archbishop of Sanct Andrewes.
The Archbishop of Glasgow.
The Commendatar of Dumfermline.
The Laird of Dun.
The Laird of Segie.
The Tutor of Pitcurr.
Mr George Buchanan.
Mr Peter Young.
Mr Robert Pont, Minister.
Mr James Lowsone, Minister.
Mr Johne Row, Minister.
Mr David Lindsey, Minister.

Who, after invocatioun of the name of God, choosed the Laird of Dun Moderator, for the better order and reasoning during the said conference; and appointed the houre of convention to be at nyne houres before noone, and to reason till twelve, and from two houres after noone till five houres at even.

AFTER NOONE.

The said commissioners desired an act to be made, that they conveened onlie at the king's Majestie's requisitioun, by severall

missives unto everie one of them, to treat, confer, and reason upon the heeds of the policie of the kirk presented to his Hienesse by the commissioners therof, at the day of and the said ministers protested, that they come not as having anie commission of the kirk, but onlie at his Majestie's missives' requeist.

AFTER NOONE.

1, 2, OF THE FIRST CHAPTER. Entering in reasoning and conference, the saids commissioners agreed in one voice unto the first two sentences or heeds, as they are writtin, word by word, in the said Booke of Policie presented to the king's Majestie.

3. The thrid sentence or article was by one consent remitted to the morne, to receave further reasoning; and the doctors, with other ancient writters, ordeanned to be brought, who best could informe in that purpose.

AFTER NOONE. *Tuisday, the 23d of December* 1578.

All the said commissioners conveened, and invocatioun of God's name being made, the said sentence was agreed by the whole commissioners, to witt, that the kirk is sometimes taikin for them that exercise the spirituall functioun in particular congregatiouns.

To consider, how this thrid article sould be understood, whether of the particular presbyterie, or the generall kirk.

4. The fourth article, bearing, "*This power,*" *&c.* is thought good to be continued to further reasoning and explanatioun. And where it is said, "*This power floweth from God to his kirk,*" whether this sould be understood of the whole kirk, or of the office-bearers; or whether it floweth mediatlie or immediatlie.

5. Refered to further reasoning.

6. In the sixt article, thir words, "*The former is called* POTESTAS ORDINIS *commounlie, and the other,* POTESTAS JURISDICTIONIS," are thought not necessar, and therefore to be deleted.

9. In this article, thir words would be left out—"*ecclesiasticall*

floweth immediatlie from God, and from the Mediator Jesus Christ," and say in stead therof, "*for this power is spirituall, having,*" &c.

10, 11. The tenth and elleventh agreed unto.

12. The twelve agreed unto, eeking to thir words, "*They sall not be called lords over their flocke.*"

13. Agreed, onlie changing thir words, "*Ecclesiasticall governement,*" instead wherof, to say, "*Ecclesiasticall discipline,*" according to the Word of God.

14. Refered to further reasoning, when the order of bishops sall be discussed.

AFTER NOONE, *the 24th of December* 1578.

All the forenamed commissioners conveened, and God's name was called upon.

15. Lettin stand over, whill they come to the distributioun of the power.

16. Agreed, as it is conceaved in the booke.

17. Differre this to be reasouned with the 15th.

18, 19. Referre thir two.

AFTER NOONE; *the prayer being said.*

20. Agreed, that the magistrat nather ought to preache, minister the sacraments, nor execut the censures (which is to be understood, excommunication) of the kirk; and referre the secund part of this answere to further reasoning; and agreed, that the minister, as minister, exerce not civill jurisdiction in respect of his ministrie; and referre the last part.

21, 22. Refered both.

AFTER NOONE, *the 24th of December* 1578.

All the said commissioners conveenned, and the prayer said.

CHAPTER II. 1. The name of the kirk in this article is taikin for the kirk in the first significatioun, to witt, for the whole kirk. Agreed, with the rest of the article.

2, 3. Referred thir two.

4, 5. Agreed both.

6. Referred to reasoning at the heed of the Visiters.

7, 8, 9, 10, 11. Referred.

CHAPTER III. Agreed unto.

1, 2, 3, 5, 6, 7. Referred.

AFTER NOONE, *the 25th of December* 1578.

All the said commissioners conveenned, and God's name was invocatted.

8. Agreed, with the generalitie heerof.

9. Agreed, with this additioun at the end of the article, "*If the people have a lawfull caus against his life and maners.*"

10. A supplicatioun be formed, and givin to the king's Majestie and estats in the nixt parliament, concerning ministers that travell at kirks, where the benefice therof may vaike by deceasse of the old possessors; that in that cace the patrons may preferre the ministers that serve there to all others, for that time allenarlie.

11. Agreed, eeking after this word, "*kirk*," thir words, "*to travell in the spirituall function there.*"

12. Agreed, leaving out thir words, "*of the eldership.*"

13, 14, 15, 16. Agreed.

17. Agreed, and that all ministers of the Word and sacrament sall mak residence.

CHAPTER IV. 1. Agreed, saving this word, "*bishop*," is referred to the place of visitatioun.

2, 3, 4, 5. Agreed.

6. Referred to after noone.

7, 8. Agreed.

9. Agreed, eeking thir words, "*to pray for the prince and the people.*"

10. Agreed.

11. Agreed, that the minister, who is the mouth of God, may pronounce the sentence of excommunication, after lawfull proceeding.

12. Agreed, with the present order concerning mariage, after lawfull proceeding.

13. Agreed.

AFTER NOONE.

CHAPTER V. Referes the whole chapter till further reasoning.

CHAPTER VI. 1, 2. Past over.

3. Agreed upon; the name of elders to be joynned with ministers.

4, 5. Referred the perpetuitie of elders to further deliberatioun.

6, 7. Referred.

8. Agreed.

9, 10. Referred.

11, 12, 14, 15, 16, 17, 18. Agreed.

CHAPTER VII. 1. Agreed, that the ministers and elders of everie particular kirk sall have power of everie spirituall thing within their owne jurisdiction, consonant to the lawes.

2. Agreed, that there sall be particular assembleis of kirks; synodalls in provinces, and nationall, which we call Generall, within this realme; which we crave to be made a law of, and erected in parliament.

AFTER NOONE, *the 26th of December* 1578.

All the said commissioners conveenned, and the prayer was made.

3. Agreed, that in provinciall or synodall assembleis, he that beareth charge of visitation of the kirks of that province, together with the pastors and doctors of the same province, and some of the elders of everie particular congregatioun within the same bounds, being authorized by commission of their congregations, sall resort to the said provinciall assembleis, of which persons it consisteth; and thir assembleis to be twise in the yeere at least, and ofter, as occasioun sall crave: and also, thir assembleis to have libertie to appoint times and places of the same, as they sall thinke expedient; and that the Generall Assembleis may be once in the yeer, or ofter, as necessitie requireth; and the king's Majesteis authoritie

to be craved, to be interponned heerunto in parliament. And the visiter of everie province, with the minister and the two elders therof, and a commissioner of everie burgh of the said province, chosin by the synodall assemblie of the same, sall come to the said Generall Assemblie, not secluding therefra other noble and godlie men that please to come thereto, providing that they sall not have libertie to vote above the number of fifteen, with the king's Majesteis commissioners, if it please his Hienesse to send anie thither.

And that no sentence of excommunicatioun be pronounced by anie particular kirk or minister, but by consent of him that beareth the charge of visitation within the bounds therof, and by advice of six pastors joynned to the visiter in the provinciall assemblie of the countrie; and the six to be chosin by the provinciall assemblie to be assessors to the said visiter. And this order to be observed also in all other maters.

4. Agreed, that in all Generall Assembleis a moderator be chosin.

5. Agreed.

6. Referred.

7. Differred to the heed of Reformation of the Bishops.

8. Agreed.

9.

10. Agreed, joynning in the end of the article thir words, "*in spirituall things onlie.*"

11. Agreed, that as they have power to make lawes according to the Word of God in spirituall things, so, as the necessitie of time requireth, they may alter and change the same.

The 27th of December 1578.

All the said commissioners were present, and the name of God was called upon.

12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23. Referred.

24. An article to be formed for ministers, who, through age, sickenesse, or other accidents, are become unable to doe their office;

in which cace, that suche be provided for during their lyfe-time, notwithstanding the said impediments.

25, 26, 27, 28. Referred.

29. Agreed upon, that the provinciall assemblie hath this power for suche as sall be agreed upon in the article of depositioun.

That, with the article of depositioun a supplicatioun be givin in to the king's Majestie and estats, desiring a law to be made, that the person so deposed, if he be a beneficed man, the benefice sall vaike, and another be placed in his rowme.

30. Past over.

31. Answered before.

32. Agreed.

33. Differed to the heed of The Bishops.

34. Differred.

35. Agreed, that this Assemblie sould take heed, that the spirituall jurisdiction meddle not with civill maters.

36. Referred.

37. Agreed in spirituall maters.

38, 39. Referred.

CHAPTER VIII. and IX. Concerning the chapters of the Diaconat, and the patrimonie of the kirk, it is thought good to be superseeded, whill the heed of the corruptions be reasouned.

That an article be made and givin in to the parliament, how the poore may be supported.

CHAPTER X. The whole chapter is thought good.

That an article be formed and givin in to the king's Majestie and estats, craving an aid to be made, that a speciall punishment be ordeanned for suche as putt violent hands in ministers of the Word of God; and also, to crave suche immuniteis and priviledges as sall be thought meet by suche as sall penne the same.

CHAPTER XI. 1. Agreed.

2. Agreed, that a supplication be formed, and givin to the king's Majestie and estats, craving dissolution of kirks, benefices, prelaceis, and others which are united and givin to one person; and the severall

kirks to be givin to qualifeid ministers, at least, after deceasse of the present possessors.

3, 4, 5, 6. Past over.

7. Answered by article of Dissolutioun.

8. Agreed, and that an act sall be sought, that no united benefice be dispouned to anie person after deceasse of the present possessors; but particular kirks therof to be provided to ministers and pastors, as said is.

9. Differred.

10. Agreed.

11. Differred.

12. Agreed, and thought reasonable that everie bishop have his particular flocke.

13. Agreed, and an article to be givin in parliament, that the dioceis be divided in suche sort, as men may reasonablie visie; and that they have no farther bounds nor they may oversee.

The 28th of December 1578.

All the said commissioners being present, and the prayer said:

14. Anent the perpetuitie of the visiters, it is referred to further reasoning and conference, that good resolutioun may be takin therin.

15. Past over.

16. Agreed.

17. Agreed, that bishops sall have a certan flocke.

18, 19. Past over.

20. Agreed.

21. Referred.

22. Agreed.

23. Agreed.

24. Agreed, that an article be made, that no present possessor of benefice, als weill prelats as others, or that sall come heerafter, sall hurt or diminishe the patrimonie of the said benefices.

25. Finds good, that the kirk advise what maters now handled

by the commissioners are meete and expedient to be treatted and handled before them.

26. Answered before.

CHAPTER XII. 1, 2, 3, 4. Agreed, and an article to be givin in therupon.

5. Agreed.

The 29th of December 1578.

6. Differred to the joynning of the kirks.

7. Agreed, as a dependent upon the former.

8. Past before in the mater of the provinciall assembleis.

9. Agreed as before.

10. Agreed to this generall.

11, 12, 13. Referred to the article of the Patronage.

14. Agreed, and that an act of parliament concerning the disposition of provestreis, prebendreis, and chaplanreis, may be reformed, conforme to the article to be givin in therupon.

15, 16, 17, 18, 19, 20. Referred to the heed of the Diaconat, and to the * * * * provisioun to be made for the poore.

21. Agreed, conforme to the lawes.

22. Referred.

To penne an article of non-residence.

That an article be givin in, craving a civill punishment may be had against them that admitt an unqualified person to the office of the ministrie of the Word, and of them that make simoniacall pactioun, being convicted by the Generall Assemblie; and that this act strike not onlie upon him that beareth the charge of the diocie, but upon his assessors, so manie as consent to the same.

It is thought meet, by supplicatioun to the king's Majestie and estats, it sall be craved, that additioun be made to the act of parliament confirming laick patronages: that the said act be extended als weill to the patronage of the king's Majestie as others.

Agreed, that an article be formed, and givin in parliament, concerning the kirk's libertie to the thrids.

Agreed, that the presentations be directed according to the act of parliament standing therupon.

And that an article be formed and givin in to the king's Majestie and estats, in the nixt parliament; and that provisioun be made for visiters, till farther order be tane.

Referred the penning of the articles and other things agreed in this conference, or that may be found profitable to the kirk, speciallie the caus of Deprivatioun, to the Lord Dumfermline, the Laird of Segie, Mr Robert Pont, Mr James Lowsone, Alexander Hay, Mr David Lindsey, to putt them in suche forme as they may be givin in and past in this nixt parliament.

M.D.LXXIX.

THE HAMMILTONS PERSUED.

It was concluded in counsell, and, as was supposed, by the Erle of Morton's device, that the Lord of Arbroth, and his brother, Claud Hammilton, Commendatare of Pasley, sould be persued for the slaughter of the king's goodshir, and the Erle of Murrey, regent. It was thought by others, that this motioun proceeded from the hous of Marr and Lochlevin. Arbroth and his brother Claud fled to England; their freinds and dependers fled to the castell of Hammiltoun. The Erle of Angus summouned the castell, which was randered. The defenders putt themselves in the king's will. They were brought to Stirline, where Arthure Hammilton of Myrrinton was hanged. The castell of Drephane was also wonne from the Hammiltons. The Dutchesse of Chattelcrault, and James Erle of Arran, were brought to Linlithquo, and committed to the custodie of Captan Lambie. The gentlemen of the Hammiltons were forced to underly the law, and pay great summes of money.

ATHOL POYSOUNED.

About the same time, whill Atholl repaired, among other noble-

men, to Stirline, he was poysouned, as all the doctors affirmed, except Doctor Preston. He was desired to taste of it; and having tasted a little of it with his tongue, almost had died, and was after, so long as he lived, sickelie. The Erle of Morton was slaundered as guiltie of the poysouning, but he cleered himself at his executioun.

THE THRETTIE-NYNE GENERALL ASSEMBLIE.

The Generall Assemblie conveened at Edinburgh, the seventh day of Julie 1579, in the New Kirk. Mr Thomas Smeton was chosin Moderator, who desired certan brethrein to concurre, and give their advice to him, in maters to be treatted publictlie. At his requeist, the Assemblie appointed the Laird of Dun, Mr Johne Row, Mr Andrew Melvill, Mr Andrew Hay, Mr James Lowsone, Mr Robert Pont, David Fergusone, Mr Johne Craig, and the minister of Dundie, to conveene everie day with him, at sevin houres in the morning, in Mr James Lowsone's galrie, and at two, after noone, and so to continue to the end of the Assemblie.

In the secund sessioun, Johne Duncansone, minister to the king's Majestie's houshold, presented his Hienesse' letter directed to the Assemblie, the tenor wherof followeth :—

" Right trustie and weilbelovits, we greete you heartilie weill. Understanding of your present Assemblie at Edinburgh, and for the rumors that passe, of some things to be treatted among you, which may seeme prejudiciall to that good order of the governement of the kirk and ecclesiasticall policie heeretofore long travelled in, and hoped for, We have takin occasioun to shew our minde in this behalfe, to the minister of our owne hous, and some others of your number happening to be present with us, whom, in this caus, we have thought meete to use, as our messingers, to carie our letter, whereby we will heartilie desire you, and effectuouslie admonishe you, that in this our young age, the time being subject to so manie difficulteis and imperfectiouns, yee bestow your commoun care and good will, to interteane publict peace and quietnesse in God's feare and our due obedience; forbearing anie proceeding at this time,

that tuicheth maters heretofore not concluded by our lawes, or receaved in practise; but whatsoever in the former conferences tuiching the policie of the kirk was remitted, to be reasouned and decided by our estats in parliament, lett it so rest, without prejudging the same by anie your conclusions at this time, seing our parliament so shortlie now approacheth, and that we are weill pleased and content, that before the samine, suche maters as are not yitt fullie reasouned may be consulted upon, and prepaired to passe in forme of lawes; and the meetest for that worke to be expreslie imployed therin, to the end that things conferred and agreed upon may be presented to our estats, to be approved in our said parliament, and due executioun to follow theron, for the advancement of God's true religioun, and to the repose of you, and others our good subjects, the members of the kirk of God within our realme. And for this caus, that yee will not onlie be the authors and perswaders of commoun peace and concord among all of your owne functioun, but among all others our subjects, als weill in generall, as in the particular kirks where yee travell, that some men, too bussie to worke the contrarie effects, may find themselves disappointed, and that our whole estats, by your good exemple, may the rather be disposed to conforme themselves to a godlie and peaceable course of living; which, we are assured, sall be pleasing to God, and to us it will be most acceptable; as yee may perswade your selves of our willing inclinatioun to sett fordward this actioun, according to God's will and Word, with all the diligence and good meanes that may be used. And so, looking to be informed of the successe of this our reasounable requeist and admonitioun, we committ you to the protectioun of God. At the castell of Stirline, the 6th of Julie 1579.

(*Sic subscribitur*) "JAMES R."

The Assemblie giveth power to the same commissioners, who were appointed in the last Assemblie, to charge Mr Patrik Adamsone to remove the corruptioun of the estat of bishops in his person, and trie other complaints made upon him; to proceed, and to charge

him yitt to remove the particular corruptions wherunto he had not agreed yitt in his answere: and if he refuse, to execute their commissioun in all points; and likewise, to summoun him to compeere before them in Edinburgh, with convenient diligence, and to charge him with the particular offences following:—To witt, that he, having submitted himself to the Assemblie, past immediatlie after his submissioun, and voted in Parliament. Secundlie, That he had givin collatioun to Johne Sinclare of the vicarage of Bolton, having no power of visitation in the bounds where the said vicarage lyeth. Thridlie, That he had agreed to all the heeds of the Policie except foure, and yitt oppouned to the same in parliament. Fourthlie, He had caused remove Mr Alexander Jardan from the kirk of Monymaill, being his owne kirk. Fyftlie, Had commanded a reader in Fife to resigne the manse and glebe-land to another. And upon all these heeds, to receave his severall answeres, to be reported again to the nixt Assemblie.

A charge was givin to the same brethrein, to putt the commissioun givin to them before, concerning Mr Robert Hammilton, in executioun in all points, betwixt and the nixt Assemblie. Mr David Wemes gott commissioun in the last Assemblie to charge Mr James Boyd to remove the corruptions of the estat of a bishop in his person. He produced an act subscrived with his hand, dated at Glasgow, the eight day of June 1579, where he willinglie agreed to the act of the Assemblie made at Stirline, 1578; to witt, according to the duetie of all faithfull pastors, he submitteth himself in all points. Commission was givin to a number of barons, and the commissioners of provinces, and some other ministers, with suche as sall have commissioun from the burrowes, or to the most part of the said number, to conveene where the parliament sall happin to be holdin, two dayes before the holding therof, and there advise, conceave, and forme suche heeds and articles as they sall thinke meete to be propouned therat, in name of the Assemblie, for the weale and maintenance of God's glorie and policie in the kirk; to crave, with all humilitie and earnestnesse, the samine to be allowed; conferre and reasoun there upon the saids heeds, and suche as sall be

propouned there, sicklyke, and as the said Assemblie might doe, if they were present there. Commissioun was givin to some brethrein to concurre with the king's commissioners, if anie sall be appointed, to reforme abuses and corruptions in the Universitie of Sanct Andrewes. Commissioun was givin to some brethrein, to declare to the lords, that the Assemblie thought the croce and the stroups[1] superstitious and ethnick like, and to crave that they may be removed at the Erle of Atholl's buriall. The lords answered, they sould caus cover the mortcloath with blacke velvet, and remove the strowpes. Commission was givin to some brethrein, to passe to the king's Majestie and his counsell to Stirline, and to present the articles following:—

ARTICLES.

"*Imprimis*, The Assemblie craveth of the king's Majestie that, becaus manie young schollers are sent out of this realme to Parise, and other universiteis professing Papistrie, wherethrough the youth of this realme is corrupted by pestilent Poprie, in place of godlie vertue, that therefore his Majestie would mak generall prohibitioun, that none of the inhabitants of this realme send their childrein to Parise, or other universiteis or touns professing Papistrie, under suche paines as his Highnesse and his counsell sall thinke expedient, to the end that the youth of this countrie be not brought up in Papisticall superstitioun and idolatrie, contrare Christ's religioun.

"*Item*, The Assemblie craveth of his Highnesse, that becaus it is thought meet the Universitie of Sanct Andrewes be reformed, that his Hienesse would caus and compell the provests and masters of colledges of the said universitie to produce and exhibite the foundations and erections of the colledges within the said universitie, to be considered by his Hienesse, and suche as his Grace sall appoint; also, that the saids foundations may be sighted, and reformatioun made theranent, as effeires.

[1] Flambeaux.

"*Item*, Becaus some Jesuits are presentlie within this countrie, that order may be takin with them as effeirs, seing they are the pestilent dregs of most detestable idolatrie.

"*Item*, Becaus one minister is not sufficient to await at all times upon his Grace' and his Hienesse' hous, to preache, exhort, admonishe, and preserve perfyte discipline within his Majestie's hous, therefore the Assemblie craveth, that his Hienesse will be content to name anie other minister within this realme, of best qualiteis, to be joynned with Johne Duncansone, his Hienesse' minister for the present, that they may both with mutuall consent await upon his Grace, and the whole ministrie of his hous.

"*Item*, Becaus, in the last conference holdin at Stirline, at his Grace his command, concerning the Policie of the Kirk, certan articles theranent remaine yitt unresolved, and reforred to farther conference; therefore, the Assemblie craveth his Majestie, that persons unspotted with suche corruptions as are desired to be reformed, may be nominated by his Majestie, to proceed in farther conference of the said Policie, and time and place to be appointed for that effect.

"*Item*, Becaus the Assemblie understandeth that his Majestie, with advice of his Secreit Counsell, directed letters often times to stay the executioun of the acts of the Generall Assemblie, as also, summouned ministers to take triell of excommunicatioun pronounced by them, according to the Word of God and discipline of the kirk, to stay the pronouncing of the samine, as the commissioners of the kirk in particular will declare, that therefore his Majestie heerafter would suffer the acts of the Generall Assemblie to be putt in executioun; and namelie, that excommunicatioun being pronounced, may have due executioun without controlling therof before his Majestie and the Secreit Counsell."

It was thought meet, that supplicatioun be givin to the king's Majestie and counsell, for provisioun to commissioners or visiters of countreis, ather out of the thrids of the benefices, or out of the two parts.

COMMISSIONERS CHOSIN.

Commissioners were chosin *de novo* for countreis or provinces.

ACTS.

The brethrein thought meete, that the late conference holdin at Stirline by such as the king appointed thereto, sould be read and seene, and conferred with the Booke of Policie, to see wherin the said conference agreeth with the former conclusiouns of the Assemblie.

The First Chapter.

Concerning the doubt made upon the secund article of the said chapter, the Assemblie explaneth that article, and declareth, it is understood both of the particular presbyterie and generall kirk.

1. The fourth article is thought plain eneugh.

2. Agreed to the delatioun conteanned in the sixt article.

3. The nynth article the Assemblie thinketh meet to stand as it is in the booke.

And the twelve siclyke.

The Assemblie eeketh to the word "*governement*" this word, "*discipline.*"

The tenth article to remaine unaltered.

II. It was concluded and ordeanned, that commissioners of provinces enquire diligentlie if Jesuits resort within their bounds; and if anie be found, to charge them to give confessioun of their faith, revocke their errors, subscrive the articles of religioun presentlie established by the mercie of God within this realme; and if they refuse, to proceed with the sentence of excommunication against them, beside the civill punishment to be craved of the king's Hienesse; and that this act be executed against Mr Johne Hay.

III. The Assemblie ordeanneth, that commissioners of countreis and their assisters trie within their bounds suche ministers as have

pluralitie of benefices and offices, and to report their reasouns to the nixt Assemblie, together with their names, that the Assemblie may tak order for remedie of the same.

IV. That the act concerning apparrell of ministers and their wives be putt in executioun in all points, according to the tenor therof.

V. That the act made 12th August 1575, concerning bishops and commissioners of countreis absenting themselves from the Generall Assemblie, be executed against them, namlie, against Sanct Andrewes, Murrey, and Aberdeen, all absent; and that this act be understood, als weill of bishops that have not the office of visitation, as these that have.

QUESTIONS PROPONNED BY THE SYNODALL ASSEMBLIE OF LOTHIANE TO THE GENERALL ASSEMBLIE, AND THE ANSWERES OF THE ASSEMBLIE THERETO.

Question. In the first, in respect of great inconveniences which have ensued, and daylie doe ensue, by readers in using of their offices, the whole brethrein have inhibited all readers from ministring of the sacraments, and solemnizatioun of mariages; permitting nothing unto them but proclamatioun of bannes, and simple reading of the text: desireth an uniform order to be established by authoritie of the Generall Assemblie through all other provinces.

Answere. So manie readers as the commissioners of the synodall assemblie findeth unmeet to solemnize mariage, to be inhibited by them.

Quest. Secundlie, craveth of the Generall Assemblie an universall order to be established concerning ministers, as the synodall assemblie of Lothiane hath concluded alreadie, that everie minister sall await everie Sabboth day at that kirk where he is bound to make residence; and the supporting of other kirks to be onlie upon worke dayes; and the commissioners in everie province, in their visitatioun, to accuse the ministers contraveeners of the samine.

Ans. Alloweth this order for Lothiane.

Quest. Thridlie, in respect that sindrie brethrein, beside their ministrie, have particular benefices, whereby their kirks where their benefices ly are disappointed of service, that an uniforme order may be takin, that men may serve ather at the kirk where the benefice lyeth, or provisioun to be made for the samine.

Ans. Agreed thereto.

Quest. Fourthlie, a generall order to be takin for erecting of presbytereis in places where publict exercise is used, untill the time the Policie of the Kirk be established by law.

Ans. The exercise may be judged a presbyterie.

QUESTIONS PROPOUNED BY THE SYNODALL ASSEMBLIE OF SANCT ANDREWES TO THE GENERALL ASSEMBLIE, AND THE ANSWERES OF THE ASSEMBLIE THERETO.

Quest. In the first, the brethrein of the said Assemblie require, if anie ought, or may be suffered to read within the kirk in time of necessitie, without admissioun, although they be elders or deacons?

Ans. To the first article—*negatur simpliciter.*

Quest. Item, If all kirks have not the same equall power to marie on a weeke day, beside the Sabbath day, having a sufficient number, and joynning preaching thereto, as certan particular kirks alreadie practise?

Ans. To the secund, it is agreed, that he may marie on feriall dayes.

Quest. Item, What order sall be putt to them who byde from the communioun, alledging invy they beare toward their nighbours as the caus therof, &c., and others, that nather will specke, salute, nor beare familiar companie with their nighbours; being required by their ministers, will not obey; if they ought to be admitted? &c.

Ans. Ordeanneth the persons lying under invy to be admonished; and the other not to be suffered without reconciliation, and testification of brotherlie love.

Quest. Last, What ought to be done to suche persons that, after

admonitions, will passe to May playes, speciallie elders, deacons, and others, who beare office within the kirk?

Ans. They ought not to be admitted to the sacrament without satisfactioun, speciallie elders and deacons.

QUESTIONS.

Quest. A certan maried man slandereth himself of adulterie with another man's wife: the woman denyeth the fact, but granteth that he intised her sindrie times thereto. *Item*, The woman slandereth the man, that he perswaded her to putt doun her owne husband, and to goe furth of the countrie with him, promising, as she alledged, to doe the like with his wife: the man granteth that he intised her to goe with him out of the countrie, but denyeth that he perswaded her to doe anie evill to her husband; of which shamefull alledgences, no small troubles are raised, and the kirk heavilie slandered.

Ans. Referreth this questioun to be further tried in all circumstances by the commissioner of the countrie, the minister of the parish, and other ministers nixt adjacent, suche as the commissioner sall convocat, at what time and place it sall seeme best to them; and that both parteis, *interim*, be debarred *a sacra cœna*.

Quest. Becaus there are some ministers that will not solemnize mariage but onlie upon Sunday, and other some use the samine on weeke dayes, wherof ariseth no small slander among the people, we crave an universall order to be keeped, ather to appoint the Sunday preciselie, or that all dayes be alike, after due proclamatioun.

Ans. Bannes being three severall Sundayes lawfullie proclamed, the mariage may be anie day of the weeke solemnized, so that a sufficient number and witnesses be present.

Quest. What order sall be takin with these persons that passe to a Popish preest and marie, their bannes not being proclamed? Sall they be esteemed as maried persons? If not, what discipline sall be used against them?

Ans. The Assemblie will not acknowledge this conjunctioun for mariage, and, therefore, ordeaneth the persons to be called before their particular assembleis, to satisfie as fornicators, and upon new proclamatioun, to be maried, according to the order of the reformed kirk; and the Popish preest to be punished.

In all these Assembleis wherin the Policie was discussed, there was no suche thing as careing away of anie point with a number of votes, one or moe; but maters indifferentlie propouned, and after begging light from God, searching the Scripture, conference and reasoning a large and sufficient time, all with one voice, in one consent and unitie of minde, determined and concluded.

Upon the tenth of Julie, the commissioners of the Generall Assemblie presented a supplicatioun to the king, the first part wherof concerned the printing of the Bible by Alexander Arbuthnet. The other part concerned the Policie of the Kirk as followeth:—

"These, and manie other things more particular, (the ample discourse wherof we remitt to the historeis,) as they testifie to us the bountifull goodnesse of God, both toward your Majestie and this realme, so ought they to stirre up all hearts to thankfulnesse, and cheerfullie encurage you to passe fordward in this great work of reformatioun of religioun, and building of the spirituall temple of the Lord, the foundation wherof being alreadie layed by publict universall preaching of true doctrine throughout the whole realme, it resteth, that the work may be prosecuted, and the building brought to a great perfectioun, by establishing of discipline and meete policie in the kirk of God, not taikin out of the cisterns of the traditions of men, but of the pure fountans of God's holie Word. Which thing wiselie begunne in your Highnesse' name, by your first regent, of godlie memorie, and ordeanned by Act of Parliament to be followed furth, hath beene diligentlie preassed for from time to time, but speciallie now, since the acceptatioun of the governement in your owne person, when as, not onlie most lovinglie and willinglie yee did receave the Booke of the Policie of the Kirk, offered by them who were directed to your Majestie in name of the generall kirk, but also, was verie carefull to find out

men meete for conference upon the heeds of the same, lamenting for the raritie of suche kinde of persons as were desired to conferre therupon; and hath appointed diverse times and places, where suche conferences in your name, and at your commandement, have beene had, not without fruict and agreement, in manie heeds to be passed in lawes, but with expectatioun of greater things after to follow, upon further conference, providing suche men be appointed thereto as your Hienesse wished, and we most earnestlie crave. Wherinto, we doubt not of your owne good will as of before. For it sould be but lost travell whatsoever hath beene bestowed therin, if the warke sall not be followed furth, and broght to good issue and good end, wherunto we exhort your Grace most effectuouslie. For nothing can be found more proper, wherin a Christian prince of suche expectatioun as yee are, sould give a true prooffe of the good and sound affectioun which he beareth to the advancement of God's glorie, and of the kingdom of Jesus Christ.

"Truthe it is, that Satan ceasseth not, nather will ceasse heerafter, to object manie and great impediments to the hinderance of this godlie interprise, of bringing this spirituall building of the hous of God to perfection, which we alwise are in good hope (adjoyning thereto our continuall prayers) your good and heroick zeale sall overcome, albeit, not without some hard difficultie, and wearisome letts, even of them who ought, of duetie, to putt their hand to the work. We read in this booke, how manie and difficill impediments were offered to Zorobabel and the Jewes, to stay the bigging and repairing of the temple of Jerusalem. Sometimes they were expreslie contramanded by the edicts of the great monarch, sometimes by the threatnings of their adversareis round about them, sometimes by domesticall enemeis, hypocrits, craftie worldlings, and oppressors of their brethrein. Yitt against all these the prophet opponned the commandement of God, and promise of his assistance to performe the worke. The like, or rather greater, impediments be objected this day against the spirituall building of God's hous. The kings, and great monarchs of the earth, threattin wracke and destructioun to all these that sall meddle with this

worke. The false-named kirk men that pretend to be biggers up, demolishe, and, if they had power, would cast doun all to the ground, as their wicked conspiracie concluded at Trent doeth specifie. In what coldnesse the former zeale of manie is now changed, yea, what carelesnesse of maters of religion in all estats, it may more than evidentlie appeare. The insatiable covetousnesse of everie one to apply and appropriat to themselves the commoun rents of the kirk, doeth over truelie declare what consciences men have, and speciallie, the greatest, (whose ancestors lived more honorablie upon their owne,) to be manifest transgressers in deed of that religioun which, in word, to their shame, boldlie they professe. And last of all, the manifest corruption of our lives in all estats, the licentious and godlesse living of the multitude, the impunitie of sinne and wickednesse, the cruell and unnaturall murthers, haynous and detestable incests, adultereis, sorcereis, and manie suche like enormiteis, with the oppressioun and contempt of the poore, almost universall corruptioun of justice and judgement, and manie other evills which overflow this commoun wealth, beare evident witnesse, how slender and small successe hitherto followed the reformatioun of religioun within this realme, and doe provoke the judgements of God, alas! over sore against us.

"And yitt, none of these impediments, nay, not they all conjoyned together, sould discourage your Highnesse to goe fordward in this godlie worke. But the hope of God's assistance, who is able to move heaven and earth when pleaseth Him, the promise of His presence and grace, and happie end to follow, ought rather to enflamme and raise up your royall heart, more constantlie to fight and overcome all the letts that Satan and his craftie supposts can devise. It appeareth weill, that God hath chosin you as a singular instrument, to be as a paterne and ensample to all other princes in your time, in offering you so faire occasioun to putt the kirk of God in full libertie, to purge it frome corruptioun, to establishe suche decent and comelie policie within the same as his Word craveth, and to provide for the long during and perpetuitie therof, seing it hath pleased Him to make your Grace, from your tender youth, to

be brought up in the true knowledge and feare of His name, to make the pure doctrine of the Gospell in perfyte unitie, without anie schisme or controversie, to be plainlie and peaceablie published through all the bounds of your dominiouns; and, finallie, to make this policie of the kirk to be humblie and earnestlie craved to be established by your Highnesse, by the most part of the true subjects of your realme. Suche perclare occasiouns ought not to be omitted, remembering how all kings are commanded to embrace and kisse the Sonne of God, and to be nourishers of his kirk, (Psalm ii.) Therefore, against all impediments, propoune and oppoune the earnest zeale of David, who could tak no rest nor sleepe to his eyes, untill he had found the place where the Lord sould have his resting-place among the people, (Psalm cxxxii.) Call for the wisdome of Salomon, to indue your Grace with a spirituall spirit, als weill as in the outward policie, in advancing the spirituall policie of his kirk, (1 Kings iii. 9.) Imitat the fervent faith of Jehoshaphat, putting his whole trust in the Lord, and beleeving his prophet: the diligence of Jehoash, in repairing the hous of the Lord, (1 Chron. xx.) Follow the godlie Ezekias, in rootting out all monuments of idolatrie, and depending firmelie upon the Lord, (1 Chron. xii.:) the faithfull young Josiah, in making the booke of the law of God, a long time doun smored and keeped in silence, yea, utterlie tint and forgottin, to be publictlie read, accepted by the people, and recommended to the posteritie, (1 Chron. xxix.) To suche diligence as this did the prophets Haggai, Zacharie, and Malachie, exhort the princes of the Jewes. And shortlie, suche godlie interprises as these have made the great Constantine, the gentle Gratian, the godlie Theodose, and suche others, to be worthie of eternall memorie and commendatioun. Nather is it eneugh to beginne weill, as did some kings of Judah, and afterward fainted in their proceedings: but heere cheefelie is required constancie, and perseverance without shrinking, till things be brought to a good order and stable state.

"Nather ought your Grace onlie looke how muche is done, but rather, how muche resteth unperformed; ever thinking, that great

diligence is required to goe fordward, and great attendance to be givin, that things done may abide, and continuallie increasse, till they come to due perfectioun. This is a mater worthie to your royall heart; a purpose, for the exercise of the vivacitie of your divine and high ingyne. This is a most faire feild to runne in, and exercise the course of your youth, and a thing most meete to make knowne what ought to be the principall studie of a Christian prince; declaring, how nather we, your naturall subjects, nather the godlie and faithfull of forrane nations, have in vaine so long looked for some notable and excellent worke to proceed from your Majestie's authoritie, for promoting of God's glorie, and establishing of his true religioun, the which, no doubt, sall be an exceeding honour and perpetuall renowne that sall follow your Highnesse. All other glorie at last sall decay, and all commendatioun that resulteth of other princelie acts ather is not of long endurance, or hath commounlie mixed therewith suche things as be also worthie of blame. But the honour of this act sall endure for ever, and sall be fullie approved by Him whose judgement can no wise be but equall and right; who is the eternall Lord of Lords, and King of Kings; whom, with most humble hearts and instant prayers, we beseeke to blesse your Majestie with continuall and daylie increasse of his abundant blessings, als weill spirituall as temporall; and to mainteane in wealthie prosperitie your princelie estat, to the praise and glorie of his holie name, your assured salvatioun, comfort, and quietnesse of this countrie, the overthrow of the power of Satan, and advancement of the kingdome of Jesus Christ. From Edinburgh, in our Generall Assemblie, the 10th day of Julie 1579."

MONSIEUR D'AUBIGNEY COMETH TO SCOTLAND.

Howbeit the queen's factioun was overthrowne, and yeelded to the acknowledging of the king's authoritie, the Castell of Edinburgh randered, Lethington and Grange deceassed, yitt rested not the rest of that factioun who were alive from devising alterations, viz., Mr Johne Matlane, sometime Pryour of Coldinghame, brother

to the Laird of Lethington, Robert Melvill, uncle to the Laird of Grange, the Laird of Pittadrow, but speciallie, Mr Johne Matlane and Robert Melvill, both haters of the Erle of Morton. Howbeit they were pardonned, yitt they keeped still their minde, interteaning mutuall freindship and intelligence, waiting upon all occasiouns. They advanced indirectlie and secreitlie, as they could, the queen's caus, that is, the association with her sonne in the governement. It behoved to remove Morton out of the way.[1] Seing they wanted Atholl, their head, they sent for Monsieur d'Aubigney. He was furthered, and sent with instructions, by the Gwisians. This gentleman, Esme Stewart, the sonne of Johne Stewart, brother to Mathew Erle of Lennox, stiled Aubigney, of a toun in Berrey, which Charles VII., King of France, gave to Johne Stewart of the familie of Lennox, and ever since belonged to the younger brother of that hous, arived at Leith the eight of September, and was honorablie convoyed by the magistrats of Edinburgh. He pretended that he came onlie to congratulat the young king's entrie to his kingdome, and was to returne to France within a short space. He brought with him one called Monsieur Mombirneau, a mirrie fellow, able in bodie and quick in spirit; but his (Aubigney's) mother was a religious ladie. She informed Mr Nicoll Dagleish of the Guisians' intentioun in sending them to Scotland, wherupon Mr Nicoll sent advertisement to the ministers of Edinburgh. Within few dayes after his arrivall, he was honorablie convoyed to Stirline.

THE KING CONVOYED FROM STIRLINE TO HALYRUDHOUS.

The king was convoyed from Stirline to Linlithquo, upon Tuisday, the 29th of September, and the day following to Halyrudhous, accompanied with Morton, Angus, Argile, Montrose, Marr, Lindsey, Uchiltrie, the Maister of Livingston, and the Maister of Seton, two thowsand hors or thereby. The Humes and the Kers, about three hundreth hors, mett him at Corstorphine. The bur-

[1] For a libel affixed to the Cross of Edinburgh at this time against the Earl of Morton, see Appendix, Letter C.

gesses of Edinburgh stood in the Long Gate, in their armour, where the king lighted, and saw the cannons of the Castell shott. The toun of Leith mett him at the Quarrell Holes, and made a volie of shotts with the artillerie of the ships, and so the king came to the Abbey.

ALEXANDER CLERK CHOSIN PROVEST AT THE KING'S COMMAND.

Upon Tuisday, the seventh of October, the counsell of Edinburgh was charged, under paine of horning, to choose, within three houres, Alexander Clerk, Proveist, in place of Alexander Stewart. The counsell went doun to the king, and regrated the breache of their priviledges. The king answered, It sould not hurt their priviledges. They returne, and receave him proveist, with protestatioun, that it sall not be prejudiciall to their libertie in times to come. With him were chosin bailiffes, Johne Adamsone, William Littill, Robert Ker, younger, Henrie Nisbit.

THE KING'S ENTRIE TO EDINBURGH.

The king made his entrie in Edinburgh at the West Port, upon Fryday the 17th of October. He was receaved by the magistrats of the toun, under a pompous pale of purple velvet. That port presented to him the wisdome of Salomon deciding the plea betweene the two weomen who contended for the young childe, and the servant that presented the sword to the king, with the childe. After he had entered in at the port, Mr Johne Scharpe made an harang in Latine. The proveist, bailiffes, treasurer, dean of gild, rode with foote mantles; the rest of the counsell, and other honest men of the toun, about three hundreth, clothed in velvet, satine, and silkes, and twentie-four officers, clothed in blacke, were there also at his entrie. At the old port of the Strait-Bow hang a glorious globe, which opened artificiallie as the king came by, wherin was a young boy presenting the keys of the toun to his Majestie, all made of massive silver, and were presentlie receaved by one of the Lords of the Secreit Counsell. The musicians song

the xx. Psalme, and others played upon the viols. When he came doun to the Old Tolbuith, the fore-face wherof was covered with painted dailes, there he saw the crafts' standards and pinsells[1] sett, and foure faire young maides representing the foure cardinall vertues, Justice, Temperance, Fortitude, and Prudence, or, as others report, Peace, Justice, Plentie, and Policie. Everie one of them had an oration to the king. The wheele of Fortune was burnt with powder. When he came doun over against the Great Kirk, Dame Religion desired his presence; so he lighted at the ladeis steppes, and went in to the Great Kirk. Mr James Lowsone made an exhortation upon Psalme ii. ver. 10, and exhorted the king and the subjects to doe their duetie, to enter in league and covenant with God, and concluded with thanksgiving. After sermon was sung the xx. Psalme. When he came to the Croce, there Bacchus satt on a puncheon, with his painted garment, and a flowre garland. He welcomed the king to his owne toun, and dranke manie glasses, and cast them among the people. There were there runne three puncheons of wine. At the Salt Trone was described the genealogie of the Kings of Scotland: a number of trumpets sounded melodiouslie, and crying with a loude voice, "Weele fare to the king!" At the Neather Bow were represented the conjunctioun of the planets, as it was in the time of his nativitie, and Ptolemæus describing his beautie and fortunes bestowed upon him by the influence of the starres. Frome the West Port to the Neather Bow, all the staires on the High Street were covered with tapestrie, cards, and brods. Manie were hurt in the streets through throng. From the Neather Bow he went to the Abbey. The toun of Edinburgh presented him with a cupboord worth 6000 merks.

A PARLIAMENT.

A parliament was holdin at Edinburgh, and beganne the 20th day of October. Upon the 23d day, the king came in person to

[1] Penoncelles.

parliament. Angus caried the crowne, and Argile the scepter. Johne Lord of Arbroth, and Lord Claud, Commendator of Pasley, with sindrie other of the Hammiltons, were forfaulted. At this parliament, the act made in the first yeere of the king's raigne was explaned, and suche were declared to be members of the Kirk of Scotland as professed the doctrine conteanned in the Confessioun of Faith, and did participat of the sacraments as they were then ministred, and whosoever did not approve the heeds of the said Confessioun, or did not participat of the sacraments, as they were then ministered, to be no members of the reformed Kirk of Scotland, so long as they keeped themselves so divided. The jurisdictioun granted to the kirk is declared to stand in preaching of the Word, ministratioun of the sacraments, and correctioun of maners; yitt, in this parliament it was made indifferent whether the President of the Colledge of Justice be one of the Temporall, or one of the Spirituall estat.

AUBIGNEY'S COURSES.

Monsieur d'Aubigney purchassed, within tenne dayes after the parliament, a dispensatioun for holding mercats in Tranent upon the Sabboth day, notwithstanding of the act made in the last parliament. He purchassed likewise a *supersedere* from being troubled for a yeere for religion. Sindrie vehement presumptions there were, that he was a privat legat from the Pope, the Guisians, and the King of France, to work alteratioun in religion and estat. Before he repaired to Scotland, he had conference with the Bishop of Glasgow and the Bishop of Rosse, tending to these purposes following: First, to dissolve the amitie with England, by removing from the king suche as were weill affected to the same. Secundlie, to procure an associatioun betuixt the young king and his mother in the governement. Thridlie, to alter the state of religioun. He was accompanied to the ship, and six houres in the ship, with the Duke of Guise. His yeerlie rent surmounted not ten thowsand frankes, and, beside that, his lands were ingadged; yitt brought he with

him fourtie thowsand peeces of gold, in crowns, pistolets, and angels, which could not be purchassed but from the Pope, the King of France, and the Guisians. The end could be no other but to corrupt sindrie of the nobilitie. The Ladie Argile gott a part, to bring her husband in freindship with him. He came in simplicitie, as if he would meddle with nothing. But within short time he gott the Abbacie of Arbrothe, the Erledome of Lennox, and the keeping of the castell of Dumbartane, whither he might allure the king, and transport him to France at his pleasure, or receave forces out of France. Under his wings crap in craftie fellowes, who made the work of reformatioun of religioun, and all the good service done to the king, turbulent, and no lesse than treasonable dealing. Against these devilish slanders, the ministers of Edinburgh, like faithfull watchemen, made loude and tymous warning. His course was, to overthrow noblemen one after another, as yee sall see in the progresse of the Historie. Phairnihirst, howbeit vehementlie suspected guiltie of art and part of the murther of the king's father, obteaned, by his mediation, licence to returne, and stay two yeere, to travell for his owne peace.

M.D.LXXX.

ARGILE AND MORTON RECONCILED.

After the king had stayed all winter in the Abbey of Halyrudhous, he went to Linlithquo the 15th of Februar. Aubigney stayed behind, and was banketted by the counsell of the toun. The Erle of Morton was reconciled with the toun of Edinburgh, upon the 24th of Februar. There was great bragging in the calsey, two dayes, betuixt the Erle of Morton on the one side, Argile and Aubigney on the other side. Morton sent to Argile to understand if he would avow that which he had said, to witt, that he intended to take the king, and send him to England. Argile stayed not, but went with Aubigney to Stirline. Upon the 26th of

Aprile, there was a conventioun of the nobilitie at Stirline, where Morton and Argile were brought to agreement by the king and some of the nobilitie. But Argile's heart was not upright toward him, as time declared.

SKIPPER LINDSEYE'S HARANG.

The king entered in his progresse through Fife and Angus the 20th day of May, and returned to Stirline the 15th of August. This progresse was devised, becaus the Lord Ruthven, treasurer, alledged the treasurie was exhausted, and the king in debt of fourtie thowsand punds to him. When the king was at Sanct Andrewes in the moneth of Julie, in the time of his progresse, the gentlemen of the countrie had a guise or fence, to play before the king. The play was to be acted in the New Abbey. Whill the people is gazing, and longing for the play, Skipper Lindsey, a phrenetick man, steppeth in to the place which was keeped voide till the players come, and paceth up and doún in sight of the people with great gravitie, his hands on his side, and looking loftilie. He had a manlie countenance, but was all rough with haire. He had great tufts of haire upon his browes, and als great a tufte upon the neb of his nose. At the first sight the people laughed loude. But when he beganne to speeke, he procured attentioun, as if it had beene to a preacher. He discoursed with great force of spirit, and mightie voice, exhorting men of all ranks and degrees to heare him, and to tak exemple by him. He declared how wicked and ryotous he had beene, what he had done and conqueissed by sea, how he had spended and abused himself on land, and what God had justlie brought upon him for the same. He had witt, he had riches, he had strenth and abilitie of bodie, he had fame and estimatioun above all others of his trade and ranke; but all was vanitie, that made him miskenne his God. But God would not be miskenned by the highest. Turning himself to the bosse window,[1]

[1] A window of a semicircular form.

where the king and Aubigney was above, and Mortoun standing beneath, gnapping upon his staffe, he applyed to him in speciall, as was marvellous in the eares of the hearers; so that manie were astonished, and some moved to teares, beholding and hearkening to the man. Among other things, he wairned the erle not obscurelie, that his judgement was drawing neere, and his doome in dressing. And in verie deed, at the same time was his death contrived. The contrivers would have suspected a discoverie, if they had not knowne the man to be phrenetick, and bereft of his witt. The erle was so moved and tuiched at the heart, that, during the time of the play, he never changed the gravitie of his countenance, for all the sports of the play.

THE FORTIETH GENERALL ASSEMBLIE.

The Generall Assemblie conveened at Dundie, the 12th day of Julie. Mr James Lowsone was chosin Moderator. He desired that some brethrein, whom he sould nominat, may conferre with him, and give their advice in suche maters as are to be treatted and reasouned during this conventioun, to the effect the proceedings may be the more formall, and the expeditioun quicker. Some brethrein were offended with the order of assessors, which were wont to be joynned to the moderator, to give their advice to him, as though some tyrannie or usurpatioun might creepe in thereby, or libertie might be takin frome the brethrein. That all occasioun of murmuring might be takin away, all that pleased were required to reasoun, why the said order might not be continued. At last, the Assemblie concluded the said order to be good and necessarie, and to be keeped as it was before, without anie prejudice or hurt to the libertie of the brethrein; and for conference with the moderator, the Assemblie appointed their brethrein following, at his owne nominatioun; to witt, Mr Robert Pont, Mr Thomas Smeton, Mr Andrew Melvill, Mr George Hay, William Christesone, David Fergusone, Mr Johne Young, Mr Patrik Auchinfleck, Mr Thomas Buchanan, the Laird of Braid, Johne Johnston, Commissioner for

Edinburgh, to conveene at extraordinarie houres, seven in the morning, and two after noone, in the Assemblie place.

THE KING'S LETTER TO THE ASSEMBLIE.

Mr Johne Craig, one of the ministers of the king's hous, presented his Hienesse' missive directed to the Assemblie, the tenor wherof followeth :—

"Trustie and weill-beloved freinds, we greete you weill. We have directed toward you our trust freinds, the Pryour of Pittinweeme and Laird of Lundie, instructed with our power to that effect, for assisting you with their presence and counsell, in all things which may tend to the glorie of God, and preservatioun of us and our estat; desiring you heartilie to accept them, and our good will committed to them for the present, in good part. So we commend you to God's blessed protection.

(*Sic subscribitur*) "JAMES R.

"From our palace of Falkland, the 12th day of Julie 1580."

TRIELL OF VISITERS.

In the triell of visiters of countreis, Mr Andrew Grahame being removed, it was delated, that he had no ordinar flocke: that there were manie Papists and excommunicats dwelling in Dumblane, and no order takin with them: that he had sett his benefice to Mr William Stirline, without consent of the Assemblie: that the reader at Mutchell ministred the sacrament at Easter last: that the sacraments are commounlie sold and boght in Auchterardure. Re-entering, he answered to the first, That his speciall flocke was Dumblane, where he taught, howbeit, not so diligentlie as his duetie and office required. He granted the secund. The Assemblie ordeanned him to proceed with the censures against some of the Papists, and with letters of captioun against the excommunicat. To the thrid, he granted he sett his benefice, but with restrictioun, that Mr William purchasse the consent of the Generall Assemblie; and desired

that the moderator and his assessors might cognosce upon it, which was granted. As to the two last, he answered, order was takin with them in the synodall assemblie.

COMMISSIONS.

Becaus Mr Johne Row, Commissioner of Dunkelden, had not execute the commission given to him, to charge Mr James Paton to dimitt the bishoprick of Dunkelden, under the paine of excommunicatioun, the Assemblie ordeanned the commissioner that sall be appointed for visitation of these bounds to putt the said commissioun, in all points, to due executioun, according to the tenor therof, under the paine of suspension of the said commissioner from his function and ministrie. And becaus there have beene decreets alreadie givin by the Assemblie against him, for dilapidatioun of the patrimonie of the kirk, and yitt he hath provided no remedie, the Assemblie giveth their full commissioun and power to the same commissioner to charge the said Mr James, to repaire the hurt done by him to the kirk, by his dilapidatioun and unjust alienatioun of the patrimonie therof, under the paine of excommunication. And if he disobey, after admonitions, to pronounce the sentence against him with diligence, betwixt and the nixt Generall Assemblie, under the paine of suspensioun of the said commissioner from the said functioun of the ministrie: And farther, to trie if the said Mr James hath usurped the pretended office of a bishop upon him, since the giving furth of the sentence of depositioun by the Generall Assemblie. Charge and commissioun was givin to Mr Robert Montgomrie to warne the Bishops of Argile and the Iles, Mr Johne Hepburne to warne the Bishop of Brechin, Johne Brand to warne the Bishop of Orkney, Mr Thomas Buchanan to warne the Bishop of Cathnesse, to compeere before the nixt Generall Assemblie, and thrid day therof, to answere to suche things as the Assemblie sall enquire of them, as they will answere upon their obedience to the Assemblie. The moderator and his assessors were appointed to

forme the articles which sould be presented to his Majestie; namelie, an article that the kirk may be restored to the benefite of the act of parliament made concerning the thrids. In the tenth sessioun, commission and power was givin to a certane number, or to anie six of the number, to passe with all convenient diligence to the king's Majestie and his honorable counsell, to present the articles delivered to them by the Assemblie; to require an answere, and, if need be, to conferre and reason upon everie article. The beginning of the articles and supplications is wanting in the register, reavin out, as appeareth, by the same sacriligious hands that plucked out the rest of the wants, in the yeere 1584. The tenor and abrupt beginning followeth thus:—

ARTICLES.

* * * * "unto them. Farther, the commissioners appointed for visitation of countreis that are destitut of stipend for their labours. *Item*, They that are assigned to the generall collector's payment are not answered by him; beside manie other and weightie causes, wherupon our commissioners, if need be, will reasoun before your Majestie and counsell. And this libertie being granted to us, to gather up the revenues of the kirk according to the first assumptioun of the thrids, by faithfull men to be appointed thereto, wherin your Majestie sall have a sufficient superplus for susteaning of your Highnesse' publict effaires, all pensiouns being revocked, which are not necessar to be granted, and your Majestie sall be releeved of these importune soliciters. Farther, please your Majestie and counsell, we have givin in diverse articles before, concerning the effaires of the kirk, which have receaved no resolut answere, but long time drifted therin; beseeking your Majestie and counsell to lett us receave determined answere to everie article, namelie, concerning the heeds following:—

"First, That order may be takin with suche as putt violent hands in ministers, or trouble them in exercise of their office.

"*Item*, That they who for just causes are deposed frome the ministrie, may lose als weill their benefices, as other qualifeid persons being provided thereto, the kirk may be served.

"*Item*, That punishment be appointed for suche as passe in pilgrimage to kirks or wells; and that order may be takin with them that past in pilgrimage latelie to the holie roode of Pebles, and suche other places.

"*Item*, That no presentation of benefices be directed to anie person but suche as beare commissioun from the Generall Assemblie, according to the act of parliament; and if anie be otherwise receaved, that their admission be declared null.

"*Item*, That all benefices vacand where ministers are planted, be givin to the minister serving the cure where they vaike, they being able therefore; and that no presentatioun givin to anie other person be receaved, unlesse the minister serving the rowmes be first found unable.

"*Item*, That order be takin with Alexander Arbuthnet that the Bibles be delivered according to his receipt of money from everie parish; and to that effect, that he and his soverteis may be commanded, by letters of horning, for deliverance therof; and no suspensioun to be granted, without the samine be delivered.

"*Item*, That in respect of the good and godlie zeale of James Lord Arran, alwayes showed in defence of God's caus and commoun wealth, it will please your Hienesse and counsell to resolve upon some good and substantiall order, which may serve both for health and curing of his bodie, and comfort of his conscience.

"*Item*, That the Booke of Policie may be established by act of Privie Counsell, till a parliament be had, at the which the samine may be confirmed.

"*Item*, Becaus there is great necessitie of a printer within the countrie, and that there is a stranger, banished for religioun, called Vautrollier, who offereth to imploy his labour in the said vocatioun, for the weale of the countrie, it will please your Grace and counsell to tak order heerin, as your Grace thinketh good; and to give

licence and priviledge to him to that effect, if it sall be thought expedient to your Grace and counsell."

COMMISSIONERS OF PROVINCES CONTINUED.

The commissioners of provinces were continued in their offices of visitatioun and planting of kirks to the nixt Assemblie, except Mr James Boyd, in whose place was appointed Mr Johne Young. Mr David Lindsey and Johne Duncansone were appointed to visite Galloway, conjunctlie or severallie, till the nixt Assemblie.

William Stewart, brother to the Laird of Traquare, presented a letter to the Assemblie in the seventh sessioun, directed from the Erle of Lennox, conteaning faire offers; but to cover deepe designes, as timé declared afterward. The tenor of the letter followeth :—

THE ERLE OF LENNOX' LETTER TO THE ASSEMBLIE.

"*Salute with peace through Jesus Christ our Lord.*

"It is not, I thinke, unknowne to you how it hath pleased God, of his infinite goodnesse, to call me by his grace and mercie to the knowledge of my salvatioun, since my comming in this land; wherefore I rander, most earnestlie, humble thankes unto his Divine Majestie, finding my voyage toward thir parts most happilie bestowed, in this respect. And, although I have made open declaratioun of this my calling, first by my owne mouth, in the kirk of Edinburgh, and, secundlie, by my hand-writt, in the king's kirk at Stirline, where I subscrived the Confessioun of Faith, yitt I found it was my duetie, yee being generallie conveened, to send this gentleman, my cousin and freind, accompanied with my letter towards you, to make you, in my name, free and humble offer of due obedience, and to receave your will in anie thing it sall please you I doe farther anent the accomplishement of my said confessioun: assuring you that I sall be readie to performe the same, with all humilitie; as

also, to procure and advance all other things that may further the glorie of God and increasse of his kirk, the commoun wealth of the countrie and of the king's Majestie's service, at my utter possibilitie. And so, hoping to be participant, in all times comming, of your godlie prayers and favour, I salute you most lovinglie in Jesus Christ, our onlie Saviour.

"Your humble and obedient at all power,

"LENNOX.

"From St Andrewes, the 14th day of Julie."

His servant, Mr Henrie Keir, compeered in the eight sessioun; confessed that he had lyin long in blindnesse, and acknowledged the religioun professed publictlie within the realme to be the onlie true religioun, and was readie to subscrive when the Assemblie thought good.

ACTS.

In the fourth sessioun, the office of bishops was damned, as followeth:—

"Forasmuche as the office of a bishop, as it is now used, and commounlie takin within this realme, hath no sure warrant, authoritie, nor good ground, out of the Booke and Scriptures of God, but brought in by the follie and corruption of men's inventioun, to the great overthrow of the true kirk of God, the whole Assemblie of the kirk, in one voice, after libertie givin to all men to reasoun in the mater, none oppouning themselves in defence of the said pretended office, findeth and declareth the samine pretended office, used and termed as is above said, unlawfull in the self, as having nather fundament, ground, nor warrant in the Word of God; and ordeaneth that all suche persons as bruike, or heerafter sall bruike, the said office, to be charged *simpliciter* to dimitt, quite, and leave off the samine, as an office wherunto they are not called by God: And siclyke, to desist and ceasse from all preaching, ministratioun of the sacraments, or using anie way the office

of pastors, whill they receave, *de novo*, admissioun from the Generall Assemblie of the kirk, under the paine of excommunicatioun to be used against them: wherin, if they be found disobedient, or controvene this act in anie point, the sentence of excommunicatioun, after due admonitioun, to be executed against them. And, for better executioun of the said act, it is statuted and ordeanned, that a synodall assemblie sall be holdin in everie province where anie usurping bishops are, and beginne the 17th day of August nixt to come, whereto they sall be called and summouned by the visiters of the said countreis, to compeere before their synodall assembleis: And namelie, the Bishop of Sanct Andrewes to compeere at Sanct Andrewes, the Bishop of Aberdeen at Aberdeen, the Bishop of Glasgow at Glasgow, the Bishop of Murrey at Elgine, to give obedience to the said act. Which, if they refuse to doe, that the said synodall assemblie sall appoint certane brethrein of the ministrie, to give them publict admonitioun out of the pulpit, and warne them, in cace they disobey, to compeere before the nixt Assemblie, to be holdin at Edinburgh the 20th day of October nixt to come, to heare the sentence of excommunication pronounced against them for their disobedience." To this act the Bishop of Dumblane agreed, submitting himself to be ruled thereby. As to the order to be takin with the patrimonie of the kirk, bruiked and possessed by the said bishops, the Assemblie referreth the reasouning therof to the nixt Assemblie.

2. Albeit there have beene diverse acts made in sindrie Assembleis before, to bridle and stay the unjust alienation, dispositioun, and wasting of the kirk rents, and patrimonie therof, by beneficed ministers; and not the lesse, nather respect nor feare of God, nor reverence to his kirk or good lawes, have restrained their insatiable and cursed avarice, the Assemblie hath concluded, that all persons within the ministrie, als weill these who usurpe the stile of bishops, as others that sall be tryed heerafter, to diminishe the rents of their benefices, ather by diminution of the old rentall, by setting of victuall for small prices, and within the worth, or otherwise un-

justlie dilapidating, and putting away the rent therof, by the judgement of the Generall Assemblie, sall underly the sentence of excommunicatioun without farther processe.

3. Tuiching the office of Readers, that have no farther gift of God nor simple reading of the Scripture, the Assemblie concluded in the sixt sessioun that their office is no ordinar office within the Kirk of God. In the seventh sessioun the Assemblie concluded as followeth: "That all readers within this realme sall be tryed and examined, *de novo*, by the commissioners of countreis, with advice of their assessors, so farre as possiblie may to be done, betuixt and the nixt Generall Assemblie; and so manie as sall be found to have travelled in reading the space of two yeeres, and have not profited so farre as to be able to be pastors, and to preache the Word of God, sall be deposed from their reading by the said commissioners; and that the commissioners report their diligence to the nixt Assemblie. Siclyke, becaus readers have no ordinar office within the Kirk of God, the Assemblie declareth, that no simple reader sall be capable of anie benefice, or bruike or possesse the same in time comming; nor yitt bruike or injoy the manse or gleebe, where there is anie minister actuallie serving."

4. Forasmuche as, by the confusion and misorder of the pluralitie of kirks, susteanned in the person of one pastor or minister, the flockes of Christ universallie throughout the realme are destitute of the true food of their soules, discipline and good order alluterlie neglected, and the consciences of pastors burthenned with heavier charges than they may comport with, whereas, by the Word of God, everie severall congregatioun ought to be provided of their owne pastor, it is therefore, by vote of the whole Assemblie, after long disputation, resolved and concluded, that it is not lawfull, by the Word of God, that a minister or pastor be burthenned with the charge of feeding of moe particular flockes or congregations than one.

5. The Assemblie ordeanneth that commissioners of countreis call suche persons, everie one within their owne bounds respective, before their synodall assembleis, who, before their departure out of

the countrie, professing the religioun presentlie established, have declynned to idolatrie or Poprie, or gone to the masse, in France, or other parts; and if it be found they have made defectioun, to charge everie one to make his repentance, under paine of excommunication: and if they disobey, to be excommunicated by suche persons as sall be appointed by the synodall assembleis to that effect, lawfull admonitioun preceeding; and if they offer obedience, to superseed their publict repentance, till the forme of it be advised upon in the nixt Assemblie: suspending them, in the meane time, from participatioun of the Sacrament till the said Assemblie, and to report their diligence, as they will answere to God: and that the same order be observed by them that willingly acknowledge their defectioun, and offer their repentance.

6. The Assemblie ordeanneth, that the act made in the last Assemblie, concerning the suspension of visiters from giving collatioun of benefices to others than serve actuallie at the kirks where the samine vaike, under the paines expressed in the said act, stand in full strenth and effect; with this additioun, that, if anie collatioun or admissioun be givin by anie visiter, against the tenor thereof, it sall be null and of none availl, force, nor effect. And siclyke, declares all collations or admissions that sall be givin heerafter, by anie pretending the stile of bishops, sall be voide in the self, null and of none effect in time comming.

7. Forasmuche as, through a great part of this countrie, the after noon exercise and doctrine upon the Sabboth day is not used, and speciallie out of burghes, and so the people are not duelie instructed in the catechisme and rudiments of religioun, the Assemblie hath ordeanned, that all pastors and ministers sall diligentlie and zealouslie travell with their flockes, als weill with these that are in the rurall countrie, as these that are in burghes, as they will answere to God.

8. It is concluded, in everie provinciall assemblie there sall be certan assessors nominated by them, to concurre with the commissioner of the countrie, who sall subscrive with him in all weightie and great maters.

For purging of the kirk of God from slander, the Assemblie requireth, and in the name of God desireth all men, als weill gentlemen as others, conveened at this time, if they know anie in the ministrie slanderous in life, unable to teache, unprofitable or curious teachers, negligent in preaching, non-residents or deserters, possessors of manie benefices or offices, dissolute in maners, clothed with the power of mixed jurisdictiouns, givers of pensions out of benefices, or receavers therof, to give in their names in a ticket to the moderator and his assessors, that present order may be takin with them by the moderator and his assessors, if it may be had, otherwise that they report to the Assemblie.

A CONVENTION.

There was a conventioun holdin in Edinburgh in September. Mr Bowes, directed ambassader from England, when he came before the king and counsell to deliver his commissioun, craved the Erle of Lennox, who was sitting in counsell as a counseller, might be removed, in regard he was a stranger, otherwise he would not show his commissioun in his presence. The king refused. The ambassader removed without anie farther discharge of his commissioun; but stayed in Edinburgh till he understood from the queen, his mastresse, what was her pleasure.

THE FORTIE-FIRST GENERALL ASSEMBLIE.

The Generall Assemblie conveened at Edinburgh, in the Upper Tolbuith, the 20th day of October. Mr Andrew Hay was chosin Moderator. Becaus some were offended at the choosing of assessors, to concurre with the moderator at extraordinarie houres, and to give him advice in maters to be proponed and treatted during the Assemblie, it was required, if anie man had anie reasoun to propone in the contrare, that he would propone it. No man oppouned, and, therefore, the brethrein, in one vote, desired him to nominat the persons whose conference and concurrence he craved. He nomi-

nated Mr Robert Pont, Mr James Lowsone, Mr Andrew Melvill, Mr Thomas Smeton, David Fergusone, Mr David Lindsey, Mr George Hay, Mr Thomas Buchanan, Mr William Rynd, and the commissioners of Edinburgh.

COMMISSIONS.

Some brethrein were directed to the king's Majestie, to require of his Highnesse, humblie, that he would direct some persons, authorized with his Highnesse' commissioun, to concurre with them in thèir Assemblie. *Item*, To crave answeres of the articles givin in latelie by the Assemblie to his Hienesse and counsell; and if a delaying answere be givin, to crave that the platt be superseeded till they receave the said answere. *Item*, To crave some order to be takin with Mr Nicoll Browne. *Item*, That order be takin with Papists in the king's hous, and to insist with his Hienesse and counsell, and for recalling of the letters wherewith the commissioners are summouned before the counsell. They reported their answere in the thrid sessioun, that his Hienesse and counsell promised to give resolut answere to their articles, the 15th day of the nixt moneth, and to stay the platt till that time.

Commissioun was givin to Mr Thomas Buchanan to summoun the Bishop of Cathnesse, and Mr Johne Hepburne to summoun the Bishop of Brechin, to compeere the nixt Generall Assemblie, to give their submissioun and assent to the speciall heeds conferred and agreed upon by the Bishops of Sanct Andrewes, Glasgow, and of the Isles, with the Assemblie, to be content expresslie with the same; certifeing them, if they compeere not, the Assemblie will proceed with censures against them. And incace the said Mr Thomas and Mr Johne execute not this ordinance, the Assemblie decerneth, that they sall make publict repentance openlie, in face of the whole Assemblie. Commissioun was givin to the brethrein of the exercise of Edinburgh, and Mr Johne Craig, minister of the king's hous, if he be present, to call the Bishop of Orkney before them; and to charge him, in name of the Assemblie, to give submissioun and

assent to the articles and heeds agreed upon betwixt the Bishops of Sanct Andrewes, Glasgow, and the Isles, on the one side, and them on the other side; and to receave his answere therupon, to be reported, with the whole proceeding therin, to the nixt Assemblie. There wanteth in the register a part of the thrid sessioun, the fourth, fyft, sixt, and a part of the seventh, reavin out, as the rest of the wants, by the same sacrilegious hands, in the yeere 1584, where the submissioun of the Bishops of Sanct Andrewes, Glasgow, and the Iles, were sett. Yitt I find in Mr James Carmichael's observations, who was present as commissioner at the same Assemblie, that they agreed to accept everie one a particular kirk; not to usurpe the office of visitatioun farther than the Assemblie sall injoyne, *pro re nata;* not to tak upon them to ordeane or depose ministers, but to committ the same to the whole brethrein of the province, in their synodall assemblie; and last, not to use the censures of the kirk, namelie, excommunicatioun, but to forbeare that, belonging, as the rest, *ad presbyteria bene constituta.*

Commissioun was givin to Mr Andrew Hay to summoun the Visiter of Argile to compeere before the nixt Generall Assemblie, to answer upon his usurpation of the office of visitatioun within the said bounds, under the paine of disobedience. Commissioun was givin to foure brethrein to penne and sett doun in writt their judgements concerning the diverse ranks and degrees of apostats, with the order of discipline to be followed out against them; and to be presented to the full Assemblie. Commissioun was givin to some brethrein of the ministrie, and other commissioners, or to anie six of them, to compeere before the king's Majestie and his counsell, the 15th day of November nixt to come, and with all humilitie and reverence crave answere to the articles givin in since the last Generall Assemblie to his Highnesse and honorable counsell; to reason and conferre therupon; with power givin to them, or the most part of them, to resolve, decerne, and finallie conclude, in name and behalfe of the Assemblie, with the king's Highnesse and counsell therupon, and farther, as sall be most necessar and expedient for the advancement of the glorie of God, inter-

teanement of the Evangell, and weilfare of the whole kirk, siclyke, and als freelie as if they were personallie present; firme and stable, holding, and for to hold whatsomever their said brethrein, or the most part of them, in the premisses, righteouslie leid to be done.

Forasmuche as it was considered by the Assemblie, that it is a corruptioun tending to tyrannie, that the power or office of visiters sould stand in the person of one man, which sould flow from the presbytereis, and notthelesse, the state of time, and want of present order for establishing and constituting of presbytereis, suffereth not the present alteratioun of visiters, it is thought meet that the Clerk of Register be requested to concurre with the Laird of Dun, Mr Robert Pont, Mr James Lowsone, Mr David Lindsey, Mr Johne Craig, and Johne Duncansone, or anie three or foure of them, to devise a platt of the presbytereis, as seemeth best in their judgements, to be reported again by them to the nixt Generall Assemblie. As for the present, the Assemblie appointed visiters to severall bounds. Commissioun was givin to some brethrein and barons to see Mr Andrew Melvill placed in the New Colledge of Sanct Andrewes; and to call the Papists that are within the universitie before them, and to tak order with them, according to the acts of the kirk. It was thought meet that Mr Thomas Smeton sould occupie Mr Andrew his place in the Colledge of Glasgow.

TRIELL OF VISITERS.

The commissioners of provinces being tried, Mr Andrew Blackhall was delated, for admitting an unqualified man to the ministrie at Ettlestone. Answered, he admitted him onlie to be an exhorter, and that with the advice of certan brethrein: alwise, he is now discharged of his ministrie. It was answered, that the Assemblie acknowledgeth no suche office in the kirk of God, nor will not acknowledge anie suche in times to come. Mr Patrik Gaits was found fault with, that Mr Thomas Cranston had ministred the sacrament without examinatioun preceeding, and without his owne parish: that at other times he committeth the examinatioun of the

people to readers; baptizeth childrein privatlie; that he had celebrated the communioun in Innerleith on Easter day. He answered, he had takin order with him for baptizing of childrein privatlie, but understood not of the rest before. The Assemblie giveth commission to the brethrein of the exercise of Edinburgh to call Mr Thomas before them, and after due triell and examinatioun, to tak order with him, according to the qualitie of his offence, and acts of the kirk; and what sall be done heerin, to report to the nixt Generall Assemblie.

LENNOX HIS OFFERS.

Mr Henrie Keir declared to the Assemblie, that the Erle of Lennox was most willing to have a minister in his hous, for exercise of the true religioun: that it is true, that he promised, at the subscriving of the articles of religioun, to send for a minister that had the knowledge of the Frenche tongue. Yitt becaus Mr Bowes had promised to provide one, or becaus his desire was, that rather the Assemblie sould choose a sufficient pastor to him, the mater hath beene delayed. Desired, therefore, the Assemblie to write to some pastor of the Frenche kirk at Londoun, of whose provisioun he sould be carefull; and promised, in his name, that in the effaires of the kirk, ather in generall or particular, he sould imploy his travells as he sould be charged: desiring, that no other opinioun be conceaved of him, than of anie man that meaneth truelie toward God. The Assemblie willed their brother, Mr James Lowsone, to write to the ministers of the Frenche kirk at Londoun to this effect.

ACTS.

It was ordeanned, that the act made in the last Assemblie, wherin was damned the pluralitie of kirks in the person of one man, be putt in executioun by the commissioners of provinces, according to the tenour therof, under paine of disobedience.

2. In respect the order sett doun in the last Assemblie to be

takin with the Bishops of Murrey and Aberdeene hath not beene followed out according to the tenor therof, the Assemblie ordeanned the commissioners of countreis to putt the said act in execution in all points, so farre as concerneth their part therof, and the ministers, in so farre as is appointed by the said act unto them, under paine of making publict repentance in presence of the whole Generall Assemblie, incace they be found to contraveene the said act; and that the Bishop of Murrey be warned publictlie in the kirk of Elgine.

3. It is ordeanned, that the commissioners of countreis putt in executioun the act of the last Assemblie against apostats, in all points, and to use the forme of discipline against them which is used against adulterers.

4. It was considered to be a corruptioun, tending to tyrannie, that the power of visiters sall stand in the person of one man, which sould flow from the presbytereis.

QUESTIONS DECIDED.

The questioun being propounded, If anie minister might be removed by the Generall Assemblie from his particular flocke, without consent of his flocke? it was answered *affirmative*, that they might be removed by the Generall Assemblie, without their consents, for good and necessarie causes.

2. The questioun being propounded, If, in respect of the present necessitie, when there are no doctors within this realme, a minister or pastor may lay aside the exercise of his pastorall functioun for the time, and use the office of a doctor? it was answered by the Assemblie, he may, upon good considerations, at the command of the Generall Assemblie.

3. The questioun being propounded, If a minister serving diverse yeeres in the functioun of the ministrie, and after deserting his calling, and applying himself to a civill office, may be admitted to be an elder within the kirk? it was answered by the brethrein ap-

pointed to decide questions, that this man is *Desertor gregis*, and sould not be admitted to be an elder in a kirk, but ought rather to be censured for his deserting.

MR J. ROW DECEASSED.

The Commissioners of Perth gave in a supplicatioun for a minister, in respect their late minister, Mr Johne Row, was now at rest with the Lord. This man was a wise and grave father, and of good literature, according to the time. After he was rightlie informed by Mr Andrew Melvill, he cleered all the heeds of Discipline, in his doctrine at a Generall Assemblie, to the great contentment of all men, and advanced the same according to his power to the end of his life. He thundered out mightilie against the state of bishops, howbeit, in the time of blindnesse, the Pope was to him as an angel of God.

LORD RUTHVEN PERSUED BY THE MASTER OF OLIPHANT.

In October, the Lord Ruthven coming from Kinkardin, where he had been at the Erle of Marr's mariage, the Lord Oliphant, offended that he sould ride so neere his dwelling-place, to witt, Dipline, inimitie standing betwixt them for a certant teind, the Maister of Oliphant came furth and persued him. The formost fleing, the rest followed in suche misorder, that they could not be recalled by the Lord Ruthven's crie, wherupon he fled himself also. Alexander Stewart, a brother of the hous of Traquare, his kinsman, staying behind the rest, partlie to hold off the persuers by resistance, partlie to mollifie their rage with faire speeches, was shott with a hacquebutt, and slaine by one that knew him not, to the Maister of Oliphant's great greefe. The Lord Ruthven persued the Maister of Oliphant before the Justice-Generall. The Maister was assisted by William Dowglas of Lochlevin, his father-in-law. The Erle of Morton would gladelie have reconciled them; but seing he could not effectuat the agreement, he assisted the partie persued, wher-

upon the Lord Ruthven was not a little offended at the erle. Mr Johne Matlane and Robert Melvill, who depended upon him, blew the bellowes. The Stewarts were no lesse offended for assisting one accused for the slaughter of a Stewart.

MR W. BALCALQUALL AND J. DURIE CALLED BEFORE THE COUNSELL.

The seventh of December, Mr Walter Balcalquall inveyghed vehementlie in his sermoun against the Frenche courteours. He shewed what evill fruicts proceeded from them. Papists flocked under their wings; Papists were defended in toun and countrie; the king's eare was polluted with a Frenche ruffian, meaning Monbirneau; the Cannogate, and some houses of the High Toun, were defiled with whoordome, and plagued with the Frenche pokes, great vanitie in apparrell, and foolish pastyms. He feared we sould repent that ever the Frenche court came in Scotland. Johne Durie confirmed upon the 9th of December all that Mr Walter had said. They were called before the Secreit Counsell, and commanded to give in that part of their sermoun in writt. Johne Durie was charged to waird in the Castell of Edinburgh, before he would grant. In end, they gave both in that part in writt,[1] with protestation, the counsell sould not be judges. Mr James Lowsone had said als muche a little before, to witt, that the English had sett us at libertie, both of bodie and soule, from the tyrannie of the Frenche: what they could not atteane unto by force, they seeke now to compasse by slight, and had sent in wicked Monsieurs to this countrie, when the king had now gottin in his young yeeres the authoritie in his owne hand, to subvert religion, and to breake the amitie betwixt the two realmes. The sentence of wairding was recalled, for they had an aime at greater persons.

[1] For this extract of Mr Balcalquall's sermon, see Appendix, Letter D.

MORTON ACCUSED OF TREASON.

Upon Saturday, the last of December, whill the Erle of Morton was sitting in counsell, he was accused by James Stewart, a secund brother of the hous of Uchiltrie, of fore knowledge of the king's murther. He answered thus: "It is not unknowne to your Majestie, and to your honorable lords now conveened, what good service I have done since your Majestie's coronatioun; and have persevered in the same to this day, and with severitie have persued the committers of this fact, which, this day, is layed to my charge. I wounder upon what occasioun or probabilitie this accusatioun is now moved against me, who am innocent of the same. But to the effect no kinde of suspicioun or evill opinioun be conceaved of me, I am readie to answere to this crime, or anie other that sall be layed to my charge, ather before the lords heere presentlie conveened, or before anie other judge it sall please your Majestie to appoint." Captan James Stewart, sitting all this while on his knees, answered, that it not onlie pitied him to see suche a corrupt member as Morton to be one of his Majestie's privie counsell, but also, was greeved that there was another of the same surname, a member of the Colledge of Justice, als culpable of this odious crime as the other, whose name is Mr Archibald Dowglas. The parteis were removed, and the counsell presentlie decerned Morton to be committed to waird, to be keeped there, till he were tryed by his peeres. Morton was commanded to keepe his loodging that night, and the day following. He obeyed, howbeit he might easilie have escaped, but remembred not his predecessor's old *dictum*, "loose and living," as he had just reasoun; for he might easilie have seene his enemeis seeking his destructioun. Alexander Hume of Manderston was directed secreitlie to apprehend Mr Archibald, who was then resident with his ladie at the Castell of Morran. But George Dowglas, younger of Langnidrie, bursted two horse, to give him tymous warning. So he escaped, and fled to England, tymouslie in the morning, upon the day following, that is, the

Lord's day, the first of Januar. Manderston came at five houres in the morning to Morran, accompaneid with threttie hors, to seeke him, but he was gone.

M.D.LXXXI.

MR A. DOWGLAS PUTT TO THE HORNE.

Barnbougall, without all order of law, intrometted with all Mr Archibald his movables, which were in his loodging in Edinburgh; but was constrained to restore all to his wife, at the king's command. He was putt to the horne within six dayes after. His escheat was bought for two thowsand merkes, and he had libertie to call Barnbougall for wrongfull intromission. But Mintoe's sonne gott the personage of Glasgow.

THE ERLE OF MORTON COMMITTED TO THE CASTELL OF EDINBURGH.

Upon Moonday, the secund day of Januar, betwixt ellevin and twelve, before noone, the Erle of Morton was commanded to enter in waird in the Castell of Edinburgh, and was convoyed up the street by the captan, Alexander Areskine, Alexander Hume of Manderston, and Coldingknowes. As he passed by the Butter Trone, a woman, who had her husband putt to death at Stirline, for a ballatt, intituled, "Daffing dow nothing," sitting doun upon her bare knees, powred out manie imprecations upon him. After he had entered in at the utter gate, he tooke acts and documents in the hands of three notars, that he most willinglie and obedientlie had entered himself, whole in bodie and spirit, at the king's command; protesting, that he might be delivered again to his freinds in als good a cace, after triell of his innocencie. As for his freinds, he craved nothing of them, but as their leasure served, to solist the king, that he might be putt to triell, and if he be found guiltie, never to open their mouth for him. He protested, he was so in-

nocent, that he would never aske forgivenesse of the crime layed to his charge. He confessed, if he had beene als upright to his God, as he was faithfull to his prince, he had not beene brought to this pinche. This spectacle was acceptable to suche as had particular querrells against him. Coldingknowes was offended, becaus the Wardanrie of the East Marches was takin from him, and givin to George Hume of Wedderburne, when he guided the court. The Lord Ruthven was alienated from him, for his assistance of Lochlevin at a day of law, the 20th day of December before, when as, in effect, he was a neutrall, and stayed with the king in the Abbey all the time, and was not content that Lochlevin sould have cast off his old kinsman for new allya. Argile was alienated, for the jewell of which we made mention before. Lennox, Argile, Newbottle, St Colme, Seton, Lord Robert, were banded together: William Naper, Alexander Udward, and Henrie Nisbit, whom he had committed to waird for rash speeches and other offences, were glade of this spectacle. It was a pitifull sight to manie, to see him who had done so muche for establishing of religioun, and had hazarded his life, lands, and goods, in setting up and mainteaning the king's authoritie, to be overthrowne by suche as had never givin a sincere prooffe of their professioun, yea, laboured to advance Poprie. Captan James his insolencie, above all, is to be remarked; for when he mett him comming up the streets to the castell, as he was going to the Abbey, he said to the erle and his companie, "Faire yee weill, Sirs!" None had accesse to speeke with him without the king's licence, and in the hearing of the Captan of the Castell and the Constable.

THE ERLE OF ANGUS OBTEANETH THE GUIDING OF HIS (THE EARL OF MORTON'S) LIVING.

The Erle of Angus gave in a bill to the Secreit Counsell upon the thrid of Januar, wherin he craved from the king and counsell the keeping and guiding of my Lord of Morton's houses and living, during the time that he was in waird, or till the time of triell,

which was granted. The day following, he tooke up an inventare of all his movables that were in Dalkeith.

MORTON'S FREINDS DISCHARGED OUT OF EDINBURGH.

The weeke following, after the committing of the erle, the names of certan of the Dowglasses were givin in to the king, with a requeist, that they sould be discharged to come neere the place of the king's residence. The king would have Angus and Lochlevin scraipped out, yitt were George Fleck, Archibald and Johne, his brother, Archibald Dowglas, constable, James and Archibald Dowglas, base sonnes to the Erle of Morton, George Dowglas, some time captan, Archibald Carmichaell, and others, to the number of fyfteene, charged to depart out of the toun.

MORTON TRANSPORTED TO DUMBARTAN.

Upon Wednesday, the 18th of Januar, the Erle of Morton, as was concluded before, upon Moonday in counsell, was committed to the Erle of Glencarne, Lord Robert, Lord Seton, Barganie, Blaquhan, Lochinvar, the Master of Cassils, Coldingknowes, Drumquhassill, Manderston, to be convoyed to Dumbartan castell. The night before, Archibald Dowglas, called the Constable, cried to the watchemen in the castell (of Edinburgh,) and asked how the Erle of Morton was? He brought a commissioun, as was alledged, from the Erle of Angus, Marr, and Lochlevin, to the captan, Alexander Areskine, not to let the Erle of Morton furth, assuring him, if anie danger came to him, it sould be layed to his charge. He answered, he had receaved him at the king's command; he would not refuse to deliver him again at the king's command. Archibald Dowglas had said likewise, that the Erle of Angus was desirous to speeke with the Erle of Morton, which, if it were denied, he sould speeke with him the morne, if he came furth, whatsoever anie man would say in the contrare. They were minded, ather that night, or earlie in the morning, to transport him, least he sould be takin out of

their hands; but upon these words they stayed, till they were encouraged by the Good-man of Manderston, his great adversarie. When he was brought doun, at three afternoone, to the utter closse, seing the forenamed persons, he saluteth them, and tooke them everie one by the hand, except Manderston, and asked what they would doe with him? The captan answered, it was the king's will that he sould be delivered to these noblemen. He answered, he was glade to come in their hands, and tooke instruments that he had obeyed, and would gladelie goe whether so ever the king's Grace pleased; protesting, that he might be delivered unto that place in safetie. It was answered by Lord Robert, or Lochinvar, he sould be als safe as his owne heart, if his freinds invaded them not by the way, and, therefore, desired him to advertise his freinds. The Erle of Angus had convocat together about two thowsand hors. His father-in-law, the Erle of Rothesse, went to Dalkeith to him, upon Friday, the 20th of Januarie, to perswade him to come in, and not to stand out against an established and crowned king. He answered, he would come when and where his Majestie pleased, if he had pledges of equall degree with himself delivered in Dalkeith: becaus his guiders had vowed the destruction of him and his whole name. This was not granted; yitt did he interprise nothing in time of Morton's convoy, least his life sould be in hazard. He was convoyed upon Wednisday to Linlithquo, with three hundreth harquebusiers, and the day following to Dumbartane. Sindrie causes were conjectured of his transportatioun. Some suspected the greedinesse of the captan's wife, and the captan's facilitie, that they might easilie be corrupted by the Erle of Morton; others, becaus he was neere his freinds, and might be releeved by some privat practice: a thrid sort, becaus the king and counsell were vexed with licences to speeke with him about sindrie effaires. The likliest caus was, that the Stewarts thought they could not be sure eneugh of him.

MR RANDULPH'S COMMISSION.

Mr Randulph, English ambassader, gott presence upon Thursday, the 19th of Januarie. His commissioun, as was supposed, was to desire the league betuixt England and Scotland, made at Leith, to be renued; nixt, that the Erle of Morton might be putt to a triell. The king answered to the secund, that he medled not with the Queen of England her subjects, nor execution of justice upon them. The answere to the rest of the heeds of his commission was delayed. The ambassader would not acknowledge the Erle of Lennox, by salutation, nor yitt he him.

ANGUS WEILL RECEAVED BY THE KING.

Upon the Lord's day, the 22d of Januar, the Erle of Angus went in to Edinburgh, contrarie to the English ambassader's advice, and was weill receaved of the king. Lennox had a sufficient number of his servants in the king's utter chamber, incace Angus had brought in manie. After that the Erle of Angus had returned to Dalkeith, he caused transport the gold and best movables that were there and in Aberdour to Tamtallan.

THE MERCHANTS OFFENDED AT LENNOX.

Upon the 26th of Januar, upon a report of some shipps taikin, comming from France and Flanders, a grudge arose among the merchants against Lennox, and Morton's unfreinds, becaus they assured themselves, it was done by the English for the regard they had to Morton.

Upon Friday, the 27th of Januarie, George Dowglas of Langnidrie, younger, and Archibald Dowglas, called the Constable, were putt to the horne.

Upon the Lord's day, the 29th, there were running at the ring,

justing, and other pastymes in the Abbey, and in boates and galleyes at Leith.

LIBELLS.

Upon the 1st of Februar, libells were spread in the king's chamber, and other places, wherin Lennox was called a feeble sow, that saw his wife deflowred before his eyes; Argile, an Hieland kow, with his clovin feete; Lord Robert and others nicknamed.

A PROCLAMATION.

Upon Friday, the elleventh of Februar, a proclamatioun was made, charging all men betwixt sixtie and sixteene to be readie in feare of warre, upon six dayes' warning, with pavilliouns and other provisioun, to follow the king, or his lieutenents which were to be appointed by him, whither they sould be charged, at the nixt proclamatioun, under paine of losse of life, lands, and goods. The pretence was, to represse the theeves. But the true intent was, to be in readinesse, if there were anie invasioun made by England, becaus there was the like proclamatioun made before in Berwick.

A CONVENTION.

Upon the 20th day of Februare, there was a conventioun of the estats. A taxatioun was craved for maintenance of two thowsand footemen and eight hundreth horsemen, interteaning of ambassaders, &c. It was answered, they would serve by themselves, after the old fashioun of the realme; yitt, for the king's pleasure, fourtie thowsand pund was granted, if there were anie warre; ten thowsand if peace continued. The utter gate of the Abbey Closse was keeped by Captan James Stewart, and some waged men. None were suffered to come in, but two or three with an erle, lord, or baron. The nobilitie grudged to be thus controlled by him, or that the king's palace sould be made a warrehous. Angus satt in

counsell upon Wednesday and Fryday; but upon Saturday, at night, departed, without licence, to Dalkeith, becaus he was informed that he was to be warned. At this conventioun the English ambassader, Mr Randulph, desired to be heard before the estats. The burrowes were removed, wherat they (were) offended. The king desired them to tak (it) in good part at that time, becaus he would not have the ambassader to know that the estats were conveened. Yitt was it weill eneugh knowne to him. Howbeit the ambassader could not gett suche an answere as he wished, yitt he stayed upon a better.

THE INTENTION OF THE QUEEN'S MAJESTIE OF ENGLAND AND HER OFFERS TO THE KING OF SCOTLAND, HER DEEREST BROTHER AND COUSINE, AND TO HIS NOBLEMEN AND GOOD COUNSELLERS NOW ASSEMBLED, AND SO, CONSEQUENTLIE, TO THE WHOLE NATION OF SCOTLAND, PRESENTED BY HER AMBASSADER, AT THE ASSEMBLIE GENERALL OF THE ESTATS THERE.

"Her Majestie having had, by manie assured good meanes, within these two yeeres, knowledge of the Pop's intentions and resolution, with certan of his cheefest cardinalls, and with others, speciall ministers of some kings, and other potentats of Italie and ellis where, professing the Roman religioun, and being sworne to the executioun of the Councell of Trent, for abolishing and rootting out, through all parts of Christendome, the Christian religioun reformed: And for that intent how, by the said Pope and his confederats it was, by way of decree, resolved and determined, that there sould be preached, speciallie in England and other her Maestie's dominions, by meanes of certan English rebels and Papists, but cheefelie by certan, called Jesuits, some secreet defectioun of her people, by little and little, from their naturall obedience; and therewith also, there sould be forces gathered in the dominions of the King of Spaine, and other potentats of Italie, in name of the Pope, to invade some part of her Majestie's dominions, onlie upon

the querrell of religioun; and that also, there sould be farther practise used in Germanie, to make a divisioun among the princes professing the Gospell, upon a difference betweene the Lutherans and the Calvinists, for the mater of the Sacrament, and so to weaken the partie of the Protestants, as the Papists and the Catholicks might the easier subdue both the other; and that also there sould be farther practised meanes to dissolve the amitie betwixt Scotland and England, greatlie invyed by manie, and that by procuring some mariage for the king, in time thereby to induce him to alter his religioun: And in the lyke sort, by sending into Scotland some persons to work the overthrow of suche as of long time have beene most serviceable, and hazarded their lives for his defence and safetie, in his adverse time and tender age, and for the maintenance of amitie betwixt the two realmes.

"Forasmuche as her Majestie had evidentlie seene the most part of the said Romish resolutions and intentions putt alreadie in executioun, as, namelie, the secreit working in her owne realmes of England and Ireland, by Jesuits, messing preests, rebels fugitives, and suche other papisticall instruments, that for the space of these two yeeres, in disguised maner, have dispersed themselves into sindrie corners of her realme, and have, by fained holinesse, with certane bulls and pardons from Rome, entised a number of her people to be reconciled to Rome, and obedience to the Pope, with a plaine renouncing allegiance to her Majestie, and professioun to serve the Pope, or anie other forrane prince sent by him against her Majestie, and against the religioun established in her realme; wherof her Hienesse hath had most manifest proffe, not onlie by apprehensioun of some of the said rebellious Jesuits, confessing the same, (for which some of them have, as tratours, worthilie and openlie suffered death: some have also openlie confessed the same, have beene pardonned, and doe vow to remaine good subjects;) but also, by discoverie of great multitudes of her people being reconciled to the Pope, confessing the same, and wherof, a great part, by better instructions, have publictlie, in their kirks, acknowledged their faults in great numbers together: And yitt, some

neverthelesse remaining obstinat, and are therefore committed to prisons, ather by good instructions to be winne, or by justice to be cutt off. And how these practises have takin roote in England, by the seductioun of a great sort of her Majestie's people there, and these of the best sort and calling, attempting to tak armes, and in open feilds withstand her Majestie, fighting under the Pop's banner, as his vassalls. It is manifest, and also proved true, that diverse men of warre, shippes, victuals, munitioun, money, had beene massed and gathered together under the colour of the Pop's name, both in Italie, Spaine, and other places. The world hath seene the overthrow, by God's speciall goodnesse, of some of the said forces, which being stronglie fortified, and having arived in Ireland, have made the same more than manifest; besides, the continuall amassing still of new forces of men, shippes, munitioun, and victuall, weill knowne at this present, both in Italie and Spaine, not onlie, as it is to be thought, to renew their enterprises in Ireland, and continue the rebellioun, onlie raised up for the people, but also to offer some troubles to England: With this also, that her Majestie had certanlie discovered, that part of the said forces, now preparing, sall light upon some part of Scotland, by one meanes or other.

"And considering all these determinations and platts layed, and manie of them putt in execution, and her Majestie carefull how the same might be withstand in seasonable time, had first, for her owne realme of England, prepared and putt in readinesse men, for defence of the same, against forrane enemeis, als weill by sea as by land; and hath also sought, and doeth seeke, all ordinarie good meanes, to recover her people, alreadie seduced, and to stay the rest that might in like maner heerafter be corrupted. And for the mischeefe stirred up in Germanie, she hath used sindrie meanes, sent ambassaders, to her great charges, to the best affected princes, Protestants, there to stay the fire kindled among themselves, by joyning together against the commoun enemie.

"And whill she hath beene of late yeeres thus Christianlie occupied, not onlie in discovering these Roman counsells and deter-

minations, and labouring to meete the same, and to contraveene them in tyme, least, otherwise, the generall danger of all countreis and people professing Christ, against that Antichrist of Rome, might grow and passe recoverie by anie worldlie meanes: And when also it had beene discovered by sindrie meanes unto her Majestie, that the Pope and his adherents have concluded, as a thing necessar to the generall enterprise, to attempt the recovering of Scotland to his obedience, and, in some part, the maner therof, how they meant to proceed, had beene also unto her Majestie reveeled; and that she had seene some part therof begunne alreadie, which was, by sending Monsieur D'Aubigney, a profest Papist, into Scotland, under colour of his kinred to the king, that these twentie yeeres past never offered anie service to the king, when as he had most need; partlie by dissimulatioun and courting with the king, being young, and of a noble and gentle nature, and partlie by nourishing and making factiouns among the nobilitie, but speciallie, to oppose himself to suche of the nobles as were knowne affectionat, to mainteane amitie betwixt her Majestie and the King of Scots, and were earnest to continue the love betwixt the natiouns, thereby to make some readie way, by colour of divisioun and factioun, to bring strangers, being Romanists, into the realme, for his partie, and, consequentlie, by degrees, to alter religioun, yea, in the end, to bring the person of the young king in danger; which is seene verie easie to be done, by colour of his office, being now, without anie prooffe of service done to the king or his countrie, made his principall chamberlan, and possessor of his person: and so to make himself, by the greatnesse of his authoritie, and by his banding in factiouns, but speciallie by pretence of his neerenesse in blood to the king, to gett the crown also, in the end, to himself.

"When her Majestie had seene and considered this perell, and the progressions therof, from degree to degree, and therewith had found how even since Monsieur D'Aubigney came to this great and singular credit, there hath beene some alteratioun and diminutioun of the effects and former sincere amitie in the king towards

her Majestie, though, as she thinketh, not of the king's owne dispositioun, but being, by abuse, indirectlie led thereto: And in like sort, what unkindnesse and discords have beene stirred and nourished, yea, manie murthers suffered, betwixt the people upon the frontiers; and all good meanes that were continuallie by her Majestie, for the space of two yeeres, offered to reforme the same, refused or delayed: Everie man of anie good and sincere devotioun toward the religioun of Jesus Christ, or of anie sound understanding to consider the withstanding of these dangerous and generall platts of the Pope and his adherents, ought greatlie to allow and commend, yea, to further and assist these her Majestie's provident, princelie, and Christian cares, and therewith to interpret in good part her late sindrie messages, letters, advertisements, and counsells to the king, and not to be induced, by words onlie, of the Lord D'Aubigney and his adherents, to sett light of the same, and frivolouslie to demand of her Hienesse, as it were, demonstrative prooffes, without regard to her Majestie's sinceritie in all her proceedings with that king, all wayes to his privat benefite, where plaine maters doe burst out, to show his secreit intentioun to atchieve this his interprise. For how may this his late strange fact be otherwise interpretted, in conspiring to have accused so great a person, and grave counseller of the realme, that had bruiked the place of a counseller, and that, for the king's suretie, at her Majestie's requeist; one that had hazarded his life for safetie of the king, and never favoured anie factioun contrarie to the king, as the Erle of Morton is, and of a mater so long keeped in silence; and therewith, to attatche his person in the court, where he was duetifullie to serve the king; and then also, without anie prooffe, to committ him to prisoun, and in the end, not contented to have him neere to the accustomed place of the seate of justice, at Edinburgh, where the king is resident, but to convoy him to a castell farre off, on the sea side, newlie procured to the custodie of Monsieur D'Aubigney, (without anie triell of him,) his adversarie, to be ather murthered, poysouned, or convoyed by sea, at his pleasure, out of the realme, without suche triell as, by the lawes of the land,

belongeth to induce noblemen? A mater (all circumstances weill considered by the noblemen) sufficient to confirme the just suspiciouns of Monsieur D'Aubigney's intentioun to become the principall minister of the Pope and his adherents, for to reduce that realme to the servitude of Rome, wherof himself from his birth had beene a profest vassall, that now by policie, (though some of his companie brought with him, and yitt secreitlie cherished by him, doe remaine still Papists,) he himself, to colour his dissimulatioun, affirmed by words, to be somwhat otherwise changed. A mater, being weill considered, that served his turne the better, to atchieve his interprise; and suche a device, that (as it is confessed by sindrie) the Pope doeth manie times give dispensations to diverse for some notable respects, to dissemble not onlie in bare words and with oathes, but also in outward facts to proceed to be of the reformed religioun, onlie to have more commoditie to worke their further practise. And of this kinde had beene discovered manie in England, and also in France, that had confessed suche dispensations so to dissemble; yea, they are taught, that they, without hurt to their Popish conscience, by oath, before anie Protestant magistrat, may denie their faith, and dissemble, and breake anie promise made to a Protestant.

"Now, all these things considered, and her Majestie seing this dangerous progressioun in Scotland by Monsieur D'Aubigney; and that, by making his factiouns as he doeth, he may procure by his comming suche a divisioun there, especiallie among the nobilitie, as suche as be knowne most sound in religioun, most serviceable and loyall to the king, most devote to keepe the countrie at libertie from accesse of Papisticall and strange forces, and, last of all, most affectionat to mainteane the good amitie betwixt her Majestie and the king, and the profitable intelligence, love, and concord, betwixt the people of both the realmes, and that also have tasted and thankfullie acknowledged her Majestie's great and manie chargable benefites to their king, their religioun, and liberteis; may be brought in like danger by Monsieur D'Aubigney, as the Erle of Morton manifestlie is, which her Majestie evidentlie seeth, to be the great-

est perell, and most readie way to consummat the Pop's forsaid intentions, in that realme. And, therefore, besides her Majestie's warnings, admonitiouns, and counsells givin by sindrie her letters and messingers, in this behalfe, to the king, her deere brother, and to his privie counsell, she hath thought it verie necessar to have this her Christian and princelie intentioun knowne to moe of the nobilitie there, at this assemblie. And, therewith, she doeth most earnestlie require them in God's name, and by the love which they beare to the continuance of the Gospell, and by the duetie and allegiance they owe to the preservatioun of the person of the king, her brother, from the dangerous practisings and seducings of all cunning Papists, and by the naturall band they owe, by birth, to the libertie of their countrie and to their owne posteritie, to injoy the use of lawes, and not to be subject to the tyrannie of some few persons seeking ambitiouslie their privat greatnesse, that they will accept her Majestie's advices in suche good part; and so gravelie, like true, noble, and wise men, informe the king to accept the same; as in the presence of God she meaneth, principallie, for the weale of that young king, her deare brother, and his countrie; and therupon, by their assistance in counsell, to provide suche speedie remeed against all these dangers, as to their wisdome sall seeme needfull, and that without delay: that being the onlie intentioun of her Majestie, wherewith, without other respect, she sall be greatlie both conforted and quietted, and thereby she sall the better attend, as she hath great caus, to defend her owne countreis and kingdoms; which she sall the more hardlie doe, if the commoun enemie sall, ather by force or by cunning practise, procure divisioun in that realme, to the oppressioun or weakening of suche of the realme as are knowne most humble, most devote to mainteane the amitie and concord betuixt the two princes and their people.

"And if the greatnesse of Monsieur D'Aubigney at this time, as it seemeth verie great outwardlie by the late actions, seeme to stay them from their free consultations or free suffrages, for the due reformatioun of him; her Majestie doeth offer most willinglie her

aide, as heeretofore she hath done, alwayes for that king and his realme, without regard of her charges, not onlie with money, but with force of men, if needfull be, to assist suche of them in their actions as sall be found disposed to reforme Monsieur D'Aubigney: and that to be principallie for cǫnfirmation of religioun, for safetie of the king's person, and for the libertie of their countrie, and naturall amitie betuixt the two realmes: And namelie, als for the furtherance of justice, to procure that the Erle of Morton, a peere of that realme, and of an ancient blood, may be recovered from captivitie out of Aubigney's privat possessioun, to be openlie, lawfullie, and indifferentlie tried, so to receave his judgement; against which her Majestie meaneth not to use anie meanes. And these her Majestie's princelie offers, for God's caus, the king's safetie, and weale of the realme, without anie other particular respect, she doeth assuredlie promise to performe, and that without delay, as causes sall require; meaning heerin als muche safetie, weale, and honour to the king, as if he were her proper sonne; as by her actions sall appeare."

INSTRUCTIONS FOR MR MELVILL, SENT TO THE KING'S MAJESTIE OF SCOTLAND BY THE PRINCE OF ORANGE. FEBRUAR 25TH.

"He sall declare to his Majestie and lords, that the said prince esteemeth him farre addebted to his Hienesse and their lordships for the favour and support that he and the Low Countreis have reported, by their consent and licence granted to sindrie gentlemen and other souldiours, to transport them in these parts, for their succour and releefe. Forasmuche as the interest is great which might redound to all the true professors of Christian religioun, if anie inconvenience sould happin to the realme of Scotland, and that the duetie of the said prince, and all other princes of his qualitie, moveth them to have a speciall care of the king's person, who, in this his younger age, giveth so great esperance to all good men, that he sall be the meane of some great benefite to all Christendome, the said prince cannot forbeare to give his Majestie and lords in-

telligence of some things latelie come to his knowledge, tuiching some platts and practises of the King of Spaine, and of the Pope, against his royall persoun, his countrie, and the kirk established within his realme: praying his Hienesse, right effectuouslie, to interpret this his boldnesse in good part, as proceeding of a carefull desire which he hath to see his Majestie continue his governement and kingdome in all prosperitie; hoping that his Hienesse sall lett his vertue and royall qualiteis be imployed, together with the whole meanes which he may furnishe, to the advancement of God's glorie, to the confirmation and suretie of his kirk, where his Word is truelie preached, as it is within his realme.

"He is advertised by certan his freinds and servants, which he hath in Italie and other parts, that there is ather dressing, or alreadie dressed, a league and conspiracie betuixt the Pope and King of Spaine, and certan other princes, against the realmes of Scotland and England, of intention to trouble the state of both; that by that meane they may subvert and overthrow so manie goodlie kirks as are erected within these realmes, and restore in their steed the religion which they call Catholick.

"These that travell most earnestlie to sett fordward the league and conspiracie are certan lords, and other banished and fugitive persons, als weill out of Scotland as out of England, that foresee there is no meane for them to be restored, but by troubling the present estat.

"They lett the Pope and King of Spaine understand, that, within Scotland and England, there are sindrie that mislyke the present estate of the said countreis, and therefore goe about by all meanes to have the samine altered and changed; and therefore say, that if it be brought to passe, that anie forrane power might be convoyed within anie of the realmes, that it sould not be difficill to make such an alteration in both, as the Catholicks' religioun might be easilie sett up again, with small support of the malcontents in both realmes.

"They alledge that they live in good hope to see some day his Majestie in the King of Spain's hands, to be brought to passe

there, by perswasioun that may be made him of some esperance of mariage, or succession there: at least, for convoying him away, under colour to remove him from all danger of the warres; and therafter to repone him to his owne estate, when all things sall be better quietted and ordered.

"The small forces which arived the last yeere in Irland, resting them so long time unassailed, by reason of the revolt and dissensioun which was in the countrie the time of their arrivall, and the Englishmen making so small accompt of them in the beginning, hath beene the meane to procure some credit in Rome to these fugitives, that would perswade thereby, that to restore again the Catholick religioun, they must beginne ather at England or Scotland; and if they doe it not, they sall tyne time to querrell, or to invade the Low Countreis, where they will be encountered with so manie strong touns, and where the people is now weill acquainted with the incommoditeis that the warres ordinarilie doe carie with them.

"This is not altogether their owne inventioun. But they have learned it of Escovedo, secretar to Don Johne d'Austriche, who was ever wont to say, that to come to anie good successe of their intent against the Low Countreis, the first warres would be made against the Iles adjacent thereto; and that sould be a readie meane to provide Don Johne, that as yitt had no estat.

"It is likelie that the Pope and cardinalls would rather seeme to beleeve this, nor that indeid they doe beleeve it; and yitt, they travell to perswade the King of Spaine, by the meanes of preests and monkes which have credite with him. But this is the readiest way, to the end that he tyne not courage in the meane time, seing, with so great losse, he hath continued so long and cruell warre against the Low Countreis, upon intentioun allenarlie to bring them to the Pop's obedience; and that he is not ignorant, that if he could be induced to grant unto the Low Countreis the libertie of religioun, the rest of their diversiteis might easilie be componned, and brought to reasonable midds.

"There is no questioun but the Pope and the cardinals desire, by all meanes possible, to increasse the greatnesse of the King of Spaine, and to bring under his obedience the realmes of Scotland and England, and some others, if they might, seing their estat is grounded whollie upon his greatnesse; and, therefore, they practise, als farre as they may compasse, to enlarge his power; and could be weill content to spaire some silver upon his interprise against Scotland and England, als weill to mainteane their reputatioun, as for feare that the Spaniard sould, in end, be better advised, and understand that they caus them receave the strokes, and they, in the meane time, injoy the fruicts of their paines and travells.

"That the Pope will make no great difficultie to bestow largelie upon this interprise, the letters intercepted, which were directed into Spaine to the Dutchesse of Parme, give sufficient testimonie and prooffe. The King of Spaine hath by experience shewed, the yeeres bygane, what affection he hath borne to the present state of Scotland, when as he practised and attempted to make Don Johne d'Austriche, his bastard brother, King of Scotland; appointed to him for wife the queen, his Hienesse' mother, whom he thought to releeve furth of the part where she is presentlie, trusting, by that meane, to dispossesse his Majestie of his crowne, and to erect again the Romish religioun in the countrie.

"No governement can ever be so weill ruled, but that among a number of men there will be alwise some malcontents; becaus there want never enow that thinke they deserve more honour and more credit nor is bestowed upon them. Wherefore, it may weill be that the devisers of thir practises at Rome have correspondence with some men both in Scotland and England, albeit it be not likelie that these with whom they have intelligence be of so great a number as may invert the estat of his Majestie and counsell, remaining willing to mainteane it in peace and tranquillitie, notwithstanding the practisers perswade the Pop and the King of Spaine of the contrarie. In the meane time, the old proverb is true, that a prince can never be too jealous and suspicious in maters which

concerne his life, his libertie, his estat; and can not be warie eneugh in anie of them, of suche as he conceaveth anie sinistrous suspicioun of.

"Above all, his Majestie would beware that he fall not in the hand of Spaniards anie way, nor under colour or pretext of anie promise that they can make to him. For that sall kythe, in end, no other thing nor to become of a king a prisoner, seing, that then it sould be in the will and power of the Spaniards to dispon upon his life and his libertie, as they sould thinke expedient. And it cometh often to passe, that, in maters of great importance, kings have greater respect to that which they thinke to be profitable to their course, nor to keepe their faith and promise, except they have the feare of God printed all the deeper in their hearts.

"The said Mr Melvill sall declare to his Hienesse and their lordships, that the said prince is of opinioun, that his Majestie sall do weill to interteane the amitie and allyance past, above all memorie, betwixt the Scotish men and the Frenche; for, in so doing, his Majestie may weill perswade himself, that incace Spaine, or anie other countrie, enterprise against his estat, he will not faile to receave succour from France. The amitie which the two realmes have keeped so long together being the onlie ground and occasion of sindrie mutuall commoditeis, which either of them have reported of others, that would not, incace of the like necessitie, be neglected and lightlie lett off.

"That his Majestie can doe or devise nothing more profitable for conservation of his estat, and the standing of so manie kirks erected within his realme, nor to keepe and interteane good love and correspondence with the Queen of England, to whom it importeth most, nixt unto his Majestie, that the realme of Scotland be in good peace and unioun, and that true religioun be mainteanned therin, seing the same is professed within her realme.

"There is no questioun, but if anie interprise were moved against his Majestie or his estat, so long as he remaineth in amitie with England, that he might lippin for more speedie succour from thence than anie other part; wherof times bypast may be a suf-

ficient prooffe; when as his Majestie being of so tender yeeres that he could not for age consider of his owne effaires, the queene did her whole endeavoure to mainteane the realme of Scotland in union and peace, and to preserve true religion in the owne integritie. Heerof it is apparent she will be now more carefull nor before, seing both the kingdoms are querelled and persued by one enemie, and for one caus, to witt, the profession of the true religioun.

"Above all things, his Majestie would be aware to give anie eare to suche as would have division betwixt the realmes, seing, that so farre as he can understand of the enemeis plott, it is the meane whereby the Pop and King of Spain intend to bring to passe their interprise, and to ruine the kirks founded with so muche blood within these realmes; which cannot weill susteane decay, unlesse it carie with it the ruine and calamitie of the whole estat. For which caus, his Majestie sould beware of them that goe about to mak divisioun betwixt the countreis.

"The said Mr Melvill sall likewise declare to his Hienesse, that the said prince requeisteth right humblie his Majestie and the Lords of Counsell, to interpret in no evill part that he hath takin the hardinesse to lett them understand suche things as are come to his knowledge concerning their effaires, by intelligence that he hath of some sure hands, and that he interponeth so boldlie his advice; the motioun heerof proceeding onlie of the great desire he hath, on the one side, to see his Majestie continue his raigne in all prosperitie, and, on the other, the feare that he conceaveth of some inconvenient impendent, both to his estat, and to the kirk of God within his realme.

"That the said prince desireth his Majestie to be assured, that when soever it sall fall out that the King of Spaine, or anie his adherents, sall interprise anie thing against his Majestie's estat, that he sall heartilie imploy, with his present power, the credit that he may have with the whole province of the Low Countreis, to make them like affectionat to his Highnesse' service; and beleeveth it sall not be difficill to perswade them in this cace to oppone them,

and the power they can furnishe, to the attemptats of the Spaniards in his contrare; considering they know, by experience, how muche it importeth their estat, that his Majestie continue his raigne in all peace and tranquillitie; as they beleeve, on the other side, his Majestie is weill informed that it sould not be to his commoditie if they sould fall again under the tyrannie of the Spaniard, or incurre anie suche calamitie, that the said prince would be of this advice, under correctioun of his Majestie and their lordships, to withstand the forces of the Spaniards. Which justlie ought to be suspected to all Christians, that this were a generous and royall act, and wherof a great benefite might redound to all Christendome, in procuring an assured and firme alliançe betwixt the King of France, Queen of England, and his Majestie, the Duke of Anjou and the Low Countreis, wherunto the said prince will not faile to hold hand on his part, and to extend the meanes that God hath granted him to that effect. At Delph, the 25th of Februar."

THE SECUND CONFESSION OF FAITH SUBSCRIVED.

The Secund Confessioun of Faith, commounlie called the King's Confessioun, was subscrived by the king's Majestie and his household, with sindrie others, the 28th day of Januare, at Edinburgh, the yeere 1581, according to the new accompt. The names of the subscribers are these following:—

James R., Lennox, Argile, Bothwell, Ruthven, Seton, James Lord Ogilvie, Alane Lord Cathcart, William Schaw, James Stewart, Alexander Seton, R. Dumfermline, the Master of Gray, J. Cheishe, James Halyburton, James Colvill of Easter Wemes, James Elphinston, George Dowglas, Alexander Durhame, Robert Areskine, Walter Stewart, Pryor of Blantyre, William Ruthven of Bellenden, Johne Scrimgeour, younger, of Glasgow, William Murrey, David Murrey, James Fraser, Richard Heriot, Mr Thomas Hammilton, Walter Keir, Mr Johne Craig, minister, Johne Duncansone, minister, Peter Young.

A CHARGE TO SUBSCRIVE THE CONFESSION OF FAITH.

A charge was subscrived by the king at Halyrudhous, the secund day of Marche, whereby subjects of all ranks were charged to subscrive the said Confessioun, the tenor wherof followeth:—

"Seing that we and our houshold have subscrived, and givin this publict confessioun of our faith, to the good exemple of our subjects, we command and charge all commissioners and ministers to crave the same confessioun of their parochiners, and proceed against the refusers according to our lawes, and order of the kirk; delivering their names and lawfull processe to the ministers of our hous, with all haste and diligence, under the paine of fourtie pund, to be takin from their stipends; that we, with advice of our counsell, may tak order with suche proud contemners of God and our lawes. Subscrived with our hand, at Halyrudhous, the secund day of Marche, 1580, (now 1581,) the 14th yeere of our raigne."

THE SECUND CONFESSIOUN OF FAITH.

The tenor of the Secund Confessioun of Faith followeth:—

"Wee, all and everie one of us underwrittin, protest, that after long and due examination of our owne consciences in maters of true and false religioun, are now thoroughlie resolved in the truthe, by the Word and Spirit of God. And, therefore, we beleeve with our hearts, confesse with our mouths, subscrive with our hands, and constantlie affirme, before God and the whole world, that this onlie is the true Christian faith and religioun, pleasing God and bringing salvatioun to man, which is now, by the mercie of God, reveeled to the world by the preaching of the blessed Evangell, and is receaved, beleeved, and defended by manie and sindrie notable kirks and realmes, but cheefelie by the Kirk of Scotland, the king's Majestie, and three estats of this realme, as God's eternall truthe, and onlie ground of our salvatioun; as more particularlie is expressed in the confessioun of our faith, stablished, and publictlie

confirmed, by sindrie Acts of Parliaments and now, of a long time hath beene openlie professed by the king's Majestie, and whole bodie of his realme, both in burgh and land. To the which Confessioun and forme of religioun we willinglie agree in our consciences, in all points, as unto God's undoubted truthe and veritie, grounded onlie upon his writtin Word.

"And, therefore, we abhorre and detest all contrarie religioun and doctrine, but cheeflie, all kinde of Papistrie, in generall and particular heeds, even as they are now damned and confuted by the Word of God, and Kirk of Scotland. But, in speciall, we detest and refuse the usurped authoritie of that Roman Antichrist, upon the Scriptures of God, upon the kirk, the civill magistrat, and consciences of men; all his tyrannous lawes made upon indifferent things, against our Christian libertie; his erroneous doctrine against the sufficiencie of the writtin Word, the perfectioun of the law, the offices of Christ, and his blessed Evangell; his corrupted doctrine concerning originall sinne, our naturall inabilitie and rebellioun to God's law, our justificatioun by faith onlie, our imperfyte sanctificatioun, and obedience to the law; the nature, number, and use of the holie Sacraments, his five bastard sacraments, with all his rites, ceremoneis, and false doctrine, added to the ministratioun of the true sacraments without the Word of God; his cruell judgement against infants departing without the sacrament, his absolute necessitie of baptisme; his blasphemous opinioun of transubstantiatioun, or reall presence of Christ's bodie in the elements, and receaving the same by the wicked for bodies of men; his dispensations with oaths, perjureis, and degrees of mariage forbiddin in the Word; his crueltie against the innocent divorced; his devilish masse, his blasphemous preesthood, his prophane sacrifice for the sinnes of the deid and quick; his canonizatioun of men, calling upon angels and sancts departed, worshipping of imagerie, relicts, and croces; dedicating of kirks, altars, dayes, vowes to creatures; his purgatorie, prayers for the dead, praying or speeking in a strange language; his processions and blasphemous Letanie, and multitude of advocats or mediators; his manifold orders, auricular

confessioun, his desperat and uncertan repentance, his generall and doubtsome faith, his satisfactions of men for their sinnes; his justificatioun by workes, *opus operatum*, works of supererogatioun, merits, pardons, peregrinations, and stations; his holie water, baptizing of bells, conjuring of spirits, crocing, saining, anointing, conjuring, hallowing of God's good creatures, with the superstitious opinioun joynned therewith; his worldlie monarchie and wicked hierarchie; his three solemne vowes, with all his shavelings of sindrie sorts; his erroneous and bloodie decrees made at Trent, with all the subscrivers and approvers of that cruell and bloodie band conjured against the kirk of God: and, finallie, we detest all his vaine allegoreis, rites, signes, and traditions, brought in the kirk, without or against the Word of God, and doctrine of this true reformed kirk, to the which we joyne our selves willinglie, in doctrine, faith, religioun, discipline, and use of the holie sacraments, as livelie members of the same in Christ, our Head; promising and swearing, by the great name of the Lord our God, that we sall continue in the obedience of the doctrine and discipline of this kirk, and sall defend the same, according to our vocation and power, all the dayes of our lives, under the paines conteanned in the law, and danger both of bodie and soule in the day of God's fearefull judgement.

"And seing that manie are stirred up by Satan and that Roman Antichrist to promise, sweare, subscrive, and for a time use the holie sacraments in the kirk deceatfullie, against their owne conscience, mynding heereby, first, under the externall cloke of religioun, to corrupt and subvert secreitlie God's true religioun within the kirk, and afterward, when time may serve, to become open enemeis and persecuters of the same, under vaine hope of the Pop's dispensatioun, devised against the Word of God, to his greater confusioun and their double condemnatioun in the day of the Lord Jesus: We, therefore, willing to tak away all suspicioun of hypocrisie, and of such double dealing with God and his kirk, protest, and call the Searcher of all hearts to witnesse, that our mindes and hearts doe fullie agree with this our confessioun, promise, oath, and

subscriptioun, so that we are not moved for anie worldlie respect, but are perswaded onlie in our consciences, through the knowledge and love of God's true religioun, printed in our hearts by the Holie Spirit, as we sall answere to Him in the day when the secreets of all hearts sall be disclosed.

"And becaus we perceave that the quietnesse and stabilitie of our religioun and kirk doeth depend upon the safetie and good behaviour of the king's Majestie, as upon a confortable instrument of God's mercie, granted to this countrie for the mainteaning of His kirk, and ministration of justice among us, we protest and promise with our hearts, under the same oath, hand-writt, and paines, that we sall defend his person and authoritie with our geare, bodeis, and lives, in the defence of Christ his Evangell, libertie of our countrie, ministratioun of justice, and punishment of iniquitie, against all enemeis, within this realme or without, as we desire our God to be a strong and mercifull defender to us in the day of our death, and comming of our Lord Jesus Christ; to whome, with the Father and with the Holie Spirit, be all honour and glorie eternallie. Amen."

In this Confessioun of Faith, under the name of WICKED HIERARCHIE, is condemned Episcopall governement: for betweene these words, "the Roman Antichrist," and "worldlie monarchie," and these words, "wicked hierarchie," are interjected manie other condemned errors, as prayer for the dead, dedicating of churches, altars, dayes, &c., where the hierarchie is called *his*, as prayer for the dead, holie dayes, dedicating of churches, &c., are called *his*, becaus they are invented and mainteanned by him, and would have vanished, if he had not interteaned them. So the hierarchie is called *his*, becaus it is mainteanned by his lawes, authorized by him with suche lordlie power and pre-eminence, and framed according to his decretals and councels. Did not the Councell of Trent thunder ANATHEMA against these who would not acknowledge that there is in the Catholick Kirk a hierarchie instituted by divine ordinance, consisting of bishops, presbyters, and deacons? *Sess.* 23, *Canon* 6. Our Confessioun damned not the hierarchie other-

wise than the Tridentine fathers defynned it. Again, when it is said, "We abhorre and detest all particular heeds, as they are now damned and confuted by the Word of God, and Kirk of Scotland," we professe we detest and abhorre episcopall governement; for not onlie the doctrine in the pulpits sounded against it, but also it was, after great deliberation and advisement, condemned by the Generall Assemblie before the Confession of Faith was subscrived. Yea, since the beginning of the yeere 1576, these who were called bishops were not bishops indeid, but commissioners and visiters of the bounds prescrived unto them, together with the synod, or brethrein deputed by the synod, or the brethrein of the exercise. And this power, delegat unto them by commissioun, was alterable at the pleasure of the Assemblie. So, howbeit they were called vulgarlie bishops, in respect of the benefice, yitt had they not ather the extensive or intensive power belonging to the office of a bishop.

Other simple ministers had the same office of commissioun that they had; yea, since the yeere 1573, their power was declared to be no greater than the superintendent's. The discipline, then, wherof mention is made in the Confessioun of Faith, is not Episcopall governement, but the *jurisdiction* of kirk-sessions, presbytereis, synodall assembleis, and generall, agreed upon before, when the Booke of Policie was approved, that is, since the first Assemblie holdin 1578, some few heeds excepted, which mak nothing against this forme of discipline.

GEORGE FLECK APPREHENDED.

Upon Saturday the elleventh of Marche, George Fleck, servant to the Erle of Morton, was apprehended by Manderston, in Alexander Lawson's hous, together with the said Alexander, not without their owne consents, as was alledged, to reveele where the Erle of Morton's treasure lay. The bruite went, when the boots were presented to George Fleck, that he reveeled a part of the treasure to be lying in Dalkeith yaird, under the ground; a part in Aberdour, under a braid stone before the gate; a part in Leith.

Certan it is, that he was the wealthiest subject that had been in the kingdome for manie yeeres.

THE LIBELL AFFIXED UPON THE AMBASSADER'S GATE.

Upon Moonday the 13th of Marche, a libell was affixed upon Mr Randulph the English ambassader's gate, full of railing and opprobrious words. He compleaned to the king, assuring it himself it could not be done but by some courteours, and with advice of some of his counsellers, becaus some of them had spokin some like words to himself. He gott no redresse, but was biddin searche who was the author, and he sould be punished. The copie of the libell followeth:—

"Wee, the king's Majestie, barons, nobilitie, burrowes, and commouns, mervell not a little, Mr Randulph, seing you are sent in this countrie ambassader, by so high, worthie, and mightie a princesse, the queen's Majestie of England, whose person you represent, that yee give to understand to the king's Majestie and his counsell, that her Majestie, having ever beene so willing, what by the great gifts of God givin her, what by the concord and peace since her Majestie's coronatioun, as better can testifie her good and best beloved subjects of her owne realme, who have beene so opulentlie mainteaned and defended in peace and tranquillitie in her time, God preserve her Majestie, &c. And now, yee are her officer, being sent in commissioun to our soveran lord, the king's Majestie, we are constrained, openlie and manifestlie, to declare your unduetifull and evill offices, what to the queen's Majestie your mastresse, what to our soveran lord the king's Majestie; willing to bring him in contempt of his subjects, alledging him to be misruled and misguided by certane particular counsellers, and not willing to obtemper the queen's Majestie your mastresse' desires; your principall and whole demands being contrived in three heeds, as we understand: that is, to desire my Lord Lennox to be depesched, and sent (as an unfruictfull member to this commoun wealth) to his countrie of France, and suche other frivole reasons, as we will not exprime at

this present time; which will tend all to this interrogatare, Whether it had beene lawfull caus to the subjects of your countrie to have made an uproare, for miscontentment against the queen's Majestie your soveran, for her Majestie's great liberalitie used toward Robert Dudley, Erle of Leicester, who is worthie of all that she hath done, and more, for his good qualiteis and conditions, more than we can expreme at this time; likewise the secretar, Mr Hatton, captan of her Majestie's guarde, and diverse others, to whom it pleased her Majestie to extend her large liberalitie, who are nather so neere of kin or blood to her Majestie, as the Erle of Lennox is to the king's Majestie, our soveran lord; who hath receaved little or nothing but his heritable right, which could not goe by him? If he hath receaved anie other benefite, he is willing to give it to these to whom it perteaned, if his Majestie be content with them, and they become duetifull subjects; or anie other that it pleaseth his Majestie to nominat therunto. For it is not for anie recompence he serveth his Majestie, but onlie for humanitie of his Majestie's advancement, acknowledging him to be of his kin and blood, to whom he will professe to bestow his heart, his blood, and his vail-yeant, regarding nather boast nor blowing, of whatsomever person or persons, her Majestie being excepted, and the king his Majestie.

"Secundlie, Your threatning is, in your mastresse' behalfe, to have my Lord of Morton putt to a triell. Which demand is not altogether out of reasoun, nor altogether impertinent, if yee will doe your office for furthering of his triell, as yee doe in stopping of it; to caus him want his head by subtile and summar processe, by your evill offices and imaginations, in intycing the king's Majestie's good subjects, as is openlie knowne by your hand writt, assuring whatsoever nobilitie or commouns will interprise taking of armour for refusall of suche things as are refused to your mastresse by the king's Majestie and his counsell, that they sall nather laike money nor men to their support. God knoweth if thir be duetifull offices yee doe to your mastresse, the queen's Majestie, who hath ever beene so kindlie and tender a cousin to our soveran lord the king's Majestie, and done so muche for him in his minoritie. And

who would trow you, it appeareth the queen's Majestie sould be counselled to play the goate; that is to say, to see all the paines takin in his tender age for setting of his crown on his head (as is alledged) losed, which we assure you nather her Majestie nor her counsell will allow.

"We are not willing to forgett the thrid of your demands, where your mastresse mervelleth muche of the reteanning of Sir James Balfour in Scotland at this time. Truelie we are assured, that his being in Scotland is unknowne to the king's Majestie and his counsell. But muche more we doe mervell what can your mastresse meane, to find fault with that man presentlie more than she hath done thir five or six yeeres bygane, when he was head and first counseller to the Lord of Morton, and esteemed by him in superiour degree than other in higher calling, as the world can testifie.

"Yee would have the secreits of God obscured, which will not be for you; that is, the triell of the murther of the king's Majestie's father, of good memorie, to be extinguished and putt in oblivioun, but as you and some of the factioun of your countrie thinke it good, as by good appearance yee show. For yee are so desirous on the one hand, and so retractive on the other, that the contradictioun showeth it self plainlie. Becaus yee hold Mr Archibald Dowglas, who is rebell to the king, and of the principall, that may be the trier of the crime which is layed to the charge of Morton, forsaid, with sindrie other rebels receaved by the queen's Majestie, your mastresse' evill officers, without her advice, as we are weill assured. Moreover, how yee blind our poore ministers of God's Word, and caus them vaig full oft from their text, by your instigations and false reports, assuring them that there are about the king who intend to bring in Frenche men, and tak up the Papisticall religioun. God knoweth if the king and his counsell, or the queen's Majestie and her counsell, doe most apparentlie bring in ather Frenche men or Papistrie in their countrie, seing the King of France his brother, who is the cheefe Papist of all France, is treatting mariage with your queene. Last of all, what seditioun yee move, in moving two young noblemen, the Erles of Angus and

Marr, to be howlets and nightingels, who converse with you in the night. If this sall be found good service by the queen, your mastresse, God knoweth. But the samine hand that wrote to Baltasar upon the wall may accuse you, when yee come to the end of your confusioun. And, therefore, Mr Randulph! Mr Randulph! Mr Randulph! take heed to your doings; becaus, if yee hold on, yee sall not escape unaccused within this twelve moneth or lesse; for evill offices may sett a coale on fire, which ye cannot easilie slockin. Exhorting all good readers to take this in good part, as we are assured all Scotish men will acknowledge God yitt to be God, and that he will yitt be protector of our soveran lord, and defend him, contrarie all his enemeis."

MORTON'S FREINDS TROUBLED.

Upon the same day, Moonday the 13th, the lieges were charged, by proclamation, to be in readinesse, upon six houres' warning, to follow the king's lieutenant, and that becaus of the forces gathered on the English border. Another proclamation was made, discharging conventions holdin by the Erle of Angus, and offering pardon to these that had alreadie concurred with him, if they would come within tenne dayes and seeke it. In the thrid proclamation, Carmichaell, Archibald Dowglas, and young Spott, were charged to compeere before the counsell. The Erle of Angus was charged to enter in waird at Innernesse, betwixt and the 26th of Marche, under the paine of treason. Dalkeith was randered upon Moonday, the 20th of Marche, to the Laird of Minto; the Drochels to Sir Johne Seton; Aberdour to the Lord Sanct Colme; Morton to the Lord Maxwell.

In the beginning of Aprile, young Phairnihirst obteaned licence to returne to his countrie. Upon the 7th of Aprile, Captan Fraser mustered the inhabitants of Dalkeith, under colour to know their abilitie to serve the king incace the toun were invaded. But leading them within the gates of the castell, (he) disarmed them of jacke, speere, and knapskall.

Here followeth a confessioun printed, *cum privilegio*, at Edinburgh, the 12th of Aprile 1581:—

A SHORT AND GENERALL CONFESSIOUN OF THE TRUE CHRISTIAN FAITH, SETT FURTH BY US ARCHBISHOPS AND BISHOPS, THE SUPREME AND CHEEFE HEADS IN THE ECCLESIASTICALL STATE OF SCOTLAND; TO BE PRESENTED TO OUR INFERIOURS, AND BY OUR MOST LAWFULL AUTHORITIE CONCLUDED, AS GROUNDED UPON THE EXPRESSE WRITTIN WORD OF GOD.

"At Edinburgh, the 12th of Aprile, 1581.

"Wee, archbishops, bishops, supreme and cheefe heads in the ecclesiasticall state of Scotland, and everie one of us, acknowledging the free mercie of God the Father, and his onlie beloved Sonne, our Saviour and Redeemer, Jesus Christ, borne of the holie and glorious Virgin Marie, that nather there is, nor can be, anie kinde of ecclesiasticall dignitie and office within the catholick kirk, his welbeloved spous, except it be receaved by the precise ordinance instituted by the wisdome of the Holie Ghost, whereby a lawfullie called pastor calleth another, becaus it is expreslie writtin, 'How can they preache except they be sent?' For it is manifest that in the primitive kirk, founded by the holie apostles, bishops, by onlaying of hands, called and gave ordinance to inferiour preests and ministers whatsomever, over whom also they had jurisdiction and power of correctioun; becaus to a bishop it is expreslie writtin, 'Thou sall not admitt anie accusation against a preest or minister, except it be testified by two or three witnesses.' Likewise, it is expresslie writtin, 'Lay not on thy hands hastilie upon anie man, nather communicat with other men's sinnes.'

"And, considering, according to the symbole of the apostles, it is expreslie writtin, 'I beleeve the holie catholick kirk,' we confesse that onlie kirk to be true and immaculat, and all other authoritie or pretence of kirk whatsomever, that is not called or elected by the Vicar and Legat of our Saviour, is altogether contrarious to his

godlie ordinance, and worthilie called the 'Synagogue of Satan;' becaus it is writtin, 'He that entereth not in the sheepfold by the doore, is a theefe and throat-cutter.'

"Seing, also, it is expreslie writtin, that the holie apostle, Sanct Peter, was by Christ Jesus constituted prince of the apostles, upon whom, nixt after himself, he grounded his universall kirk which he was to build, giving to him and his successors pre-eminence of High Preesthood, whereby they might, after his ascension, supplee his place, and be ministeriall head of the kirk militant, which, unto this day, against the rage of Satan and wicked heresie, according to the infallible promise of Christ, hath firmelie stand, and obteaned victorie. For it is expreslie writtin, 'Upon this rock I sall build my kirk, against the which the gates of hell sall not prevaile.' We all, moved by the said promise and manifest signes, true and miraculous testimoneis, inward motions of the Holie Spirit in our consciences, beleeve with our heart, confesse with our mouths, subscrive with our hands, affirming, before God and his holie kirk, heere openlie, that this is onlie the true faith and religioun which pleaseth God, and bringeth salvation to man, that is, by the mercie of God, reveeled to the world by continuall preaching of the Word; and hath beene receaved, beleeved, and defended by the ancient kirk of Scotland, the Christian kings, and three estats of the realme, as God's eternall truthe and veritie, grounded upon his expresse writtin Word: and that we are readie, at the pleasure of God, to defend and seale up the same with our blood, when need sall require; submitting our self to the most just and lawfull authoritie of Christ his Vicar upon the earth, ministeriall Head of the kirk militant, who hath condemned all hereseis to this day, becaus the doctrine therof, discipline, order, and exemple of good life and good conversatioun, hath proceeded of the Holie Ghost, and is grounded upon the expresse writtin Word of God, truelie interpretted by the apostles, and other their ordinarie successors, without anie interruptioun; as in speciall, that spirituall dignitie and order of preesthood which was instituted by Christ at his last supper; becaus it is expreslie writtin, 'Doe this in remembrance of me,' whereby he

gave power to consecrat bread and wine, in his precious bodie and blood, which sould be offered an acceptable sacrifice for the quick and the dead, lyke as the merit of his passioun redounded unto them which, according to the promise of God the Father, in the apostles and their successors, representing the person of Jesus Christ, sall remaine untill the consummation of the world; becaus it is expreslie writtin, 'Thou art a preest for ever, after the order of Melchisedeck.'

"We confesse, likewise, the holie sacraments instituted by Christ and his apostles, grounded upon his expresse writtin Word, to witt, 1. Baptisme, becaus it is expreslie writtin, 'He who beleeveth and sall be baptized, sall be saved.' 2. Confirmation, becaus it is expreslie writtin, that the holie apostles, Sanct Peter and Johne, by the onlaying of hands, confirmed the Samaritans, who, before, were baptized in the name of Christ. 3. Repentance, becaus it is expreslie writtin, 'Unlesse yee repent, yee sall all perish;' and also it is expreslie writtin, 'Receave the Holie Ghost: To whomsoever yee forgive sinnes, they are forgiven to them.' 4. The Supper of the Lord, becaus it is expreslie writtin, 'Tak yee, eate yee; this is my bodie which is givin for you,' &c. 5. Extreme Unctioun, becaus it is expreslie writtin, 'If anie man be sicke among you, let him call the preest, and be oynted with oyle, in the name of the Lord.' 6. Mariage, becaus it is expreslie writtin, 'This is a great sacrament: I meane, in Christ and his kirk.' 7. Order, becaus it is expreslie writtin, 'Neglect not the grace which thou hath receaved, by onlaying of the hands of the preesthood.'

"Attour, we reverence all and sindrie ceremoneis of the said holie kirk, wherby the Christian people are provoked to devotioun, becaus it is expreslie writtin, that our Saviour Christ, when he prayed, satt doun upon his knees. We obey all constitutions and traditions of the kirk, becaus it is expreslie writtin, that the Gentiles receaved, and obedientlie embraced the constitutions of the Counsell of Jerusalem. We grant purgatorie, becaus it is expreslie writtin, 'If anie man's worke burne in the fire heerof, he sall be safe, but as it were through the fire.' We acknowledge the fruict and

use of the pardons and dispensatioun of the treasure of the kirk committed to Sanct Peter and his successors; becaus it is expreslie writtin, 'To thee, Peter, I give the keyes of heaven: whatsoever thou looseth upon the face of the earth, sall be loosed in heaven.' We confesse, that the justice of the faithfull, through Christ and their merits, receaveth for reward the kingdome of heaven; becaus it is expreslie writtin, 'Be glade and rejoice, for your rewarde is great in the heavens.' We beleeve firmlie and constantlie, the invocation of sancts and angels; becaus it is expreslie writtin, that we, so farre as possible is, sould require all the members of the kirk of Christ to pray one for another: and farther, becaus it is expreslie writtin, 'Turne thee to some of the sancts.' And siclyke, it is expreslie writtin, 'I beleeve the communioun of sancts.' We acknowledge auricular confessioun; becaus it is expreslie writtin, 'They who beleeved came unto the apostles, showing their deeds, and making confessioun unto them.' We beleeve also, that satisfactioun is the thrid part of true repentance; becaus it is expreslie writtin, 'Doe fruicts worthie of repentance.' We firmelie embrace the solide, infallible, and most confortable doctrine of transubstantiation, and reall presence of Christ's glorious bodie in the sacrament; becaus it is expreslie writtin, 'Except yee eat the flesh of the Sonne of Man, yee sall not have life in you:' with all other heeds of doctrine contained in the definitions of the holie, universall kirk visible, which may not erre; becaus it is expreslie writtin, 'If thy brother heare thee not at the secund admonition, declare it to the kirk.' It is also expreslie writtin, that this kirk is the groundstone and piller of the truthe.

"To this kirk, therefore, which hath no doctrine but that which is expreslie writtin and reveeled by the Holie Ghost, we willinglie adjoyne ourselves, in unitie of faith and religioun, as livelie members of the same, in Christ, and his vicar ministeriall Head by him instituted; promising and swearing by the great oath of the Lord, that we sall obey the doctrine and discipline of the kirk, and sall defend the same to our power, all the dayes of our lives, under the paines conteanned in the law, wherin it is expreslie writtin, 'Cursed

be he that in works compleiteth not all the words of this booke and law:' and danger both of bodie and soul in the day of God's feare-full judgement; becaus it is expreslie writtin, 'Who denieth me before men, I sall denie him before the Father of heaven.'

(*Sic subscribitur,*)

"P., St Andrewes. James, Glasgow. D., Aberdeene."

This Confessioun of Faith was forged.

THE FORTIE-SECUND GENERALL ASSEMBLIE.

The Generall Assemblie conveened at Glasgow the 24th day of Aprile. Mr Andrew Hay, Mr James Lowsone, Mr David Lindsey, Mr Thomas Smeton, William Christesone, David Fergusone, the Lairds of Braid, Dunrod, and Pilrig, were appointed to concurre as assessors with the moderator, Mr Robert Pont; and to advise with him how maters might be easilie exped in the Assemblie. Mr Andrew Melvill was not yitt come.

UNWORTHIE MINISTERS TO BE DELATED.

"Forasmuche as, for purgatioun of the ministrie of unworthie persons that had entered into the functioun, to the great slander of God and his kirk, order was takin in the last Assemblie, that all men, als weill barons, gentlemen, as others of the functioun of the ministrie, sould give up the names of the saids persons unto the Assemblie, as they will answere to God upon their consciences; notthelesse, for shortnesse of time, no good effect followed, so that yitt the slander lyeth upon the kirk: Therefore, as of before, the Assemblie requireth all men, as they tender the glorie of God, and the weale of his kirk, that they delate and give up the names of suche persons in ticket, the morne at noone, that order may be takin for removing of the great slander arising to the whole kirk by suche unworthie persons." What was done the morne we understand not, becaus there wanteth in the Register the thrid and fourth session, rivven out by sacrilegious hands in the yeere 1584.

The Laird of Caprinton presented the king's Majestie's letter to the Assemblie, conteaning also a commission from his Hienesse to concurre with the Assemblie; together with certan rolls, conteaning the planting of kirks and the number of the presbytereis, with the kirks of everie presbyterie. The commissioun and rolls were presented in the fyft sessioun.

INSTRUCTIONS TO OUR TRUSTIE AND WELBELOVED WILLIAM CUNNINGHAME OF CAPRINTON, DIRECTED BY US, WITH ADVICE OF THE LORDS OF OUR SECREIT COUNSELL, TO THE GENERALL ASSEMBLIE OF THE MINISTERS OF THE KIRK OF GOD CONVEENED AT GLASGOW THE 20TH OF APRILE 1581.

"Yee sall deliver our letter to them, and lett them understand, that suche of their number as travelled with us, having desired of us answere to their articles sent from the Assemblie holdin at Dundie in Julie last, we caused certan of our counsell conferre with them, at severall times, in October last, as also, now of late, who all find the mater toward the thrids of the benefices mentiouned in the first of the said articles, as the same is there required, not the readiest meane, ather to make the ministers assured of their livings and stipends, or yitt to make us have anie reasounable support thereby, for releefe of the commoun charges of our estate, there being so great alteratioun and diminution of the rents, and so great confusioun otherwise entered in that mater, during thir twentie yeeres and more now bypast; and that thereby there behoveth a forme and order to be prescrived unto, more likelie to have continuance to the posteritie to come, to remove all occasiouns of complaint. For the furtherance therof, there is, by commandement and advice of suche of our counsell and the ministrie as conferred in this purpose, some forme drawin, how elderships may be constituted of a certan number of parishes lying together; small parishes to be united, and the great divided, for the better sustentatioun of the ministrie, and the more commodious resort of the commoun

people to their kirks. There is also drawin the forme of a letter of ours, to be writtin to some of the principall noble and gentle men, and certan of the ministers within the bounds of everie eldership, to conveene, advise, and report unto us their advice in things required by us in our said letter, betuixt and the 24th day of Junie nixt. This we thought convenient to communicat with you to the Assemblie now to be conveened at Glasgow, requiring them, in our name, to consider therof, and to send us their judgement and opinioun toward this intended work; and of anie thing they would wish ather to be added or diminished, in the forme of our letter, or otherwise, before the same sall be directed. Wheranent, if care and diligence be takin by them, as our intention, God willing, is, to doe to the furtherance therof as becometh us, we have no doubt but God sall send fruictfull successe of our travells, the removing of the great disorder and confusioun, not withstanding for want of reformatioun.

"These grounds advised weill and agreed upon, appearandlie sall not onlie with reasonable time, mak the ministers to be surelie provided of their livings, but it sall bring the ecclesiasticall discipline to be farre better exercised and executed over all this realme than it is presentlie; it being declared, First, what everie presbyterie may cognosce upon; Nixt, what sall be treatted in everie synodall assemblie; and, Last, what causes sall be devolved to the Generall Assemblie, and what persons sall orderlie need to repaire, and give vote therin. The report of thir our letters returning again the sooner, it may be provided with diligent travell, that the good order now intended may take beginning at the first day of November nixt, without farther delay. And if our parliament, upon anie necessar occasioun, sall be conveenned in the meane time, the samine order, or so muche therof as sall be in readinesse, may be past and approved in forme of law.

"The Secund article was answered in suche sort as, we trust, they were satisfied with.

"To answere to the Thrid article, the desire therof must be more speciall, before it receave a speciall answere.

"They have to consider in whose default and negligence the persons compleaned upon in the Fourth articles remain unpunished.

"Our answere to the Fyft article is sufficient, whill upon further advice it may be made more speciall.

"We doubt not also but our answere to the Sixt article sall be found reasonable, upon speciall conference had theranent; and that their desire, if it were granted in the forme required, could not but induce some inconveniences.

"There is order takin, tuiching the desire of the Seventh article.

"There is some order alreadie begunne, for the farther help and confort of the Erle of Arran, which sall be followed, as occasioun sall serve.

"We have caused, and yitt will caus, the conference to be keeped, for furth setting of all things requisite, that may sett fordward the policie, whill the samine may be established by law.

"Our former answers are reasonable, and no insisting hath beene in the contrare in these maters sensyne.

"Moreover, yee sall lett the Assemblie understand, that in the particular conference bygane, sindrie maters have beene agreed upon in generall termes, as they were talked and putt in memoriall, but yitt are not putt in suche formes and termes as it were meet to putt them in articles to our states in parliament, to be past and approved as particular lawes. And, therefore, lett the Assemblie appoint some of their number to extend and putt their articles in suche forme and order as they will wishe them to be past in parliament, speciallie in thir heeds, &c.

"That the Assemblie will require, and caus informe us of the speciall names of persons culpable of the faults noted in the act of their last Assemblie holdin at Dundie, namelie.

"That the bishops and commissioners may be admonished to refuse readers to the titles of benefices vacand since the first day of November last bypast, althogh presentation have happenned, or happin to be made, after that sort.

"That the Assemblie declare how manie sufficient and weill qua-

lified ministers there are presentlie in Scotland, and in what place they wish them to serve.

"And that they give their advice how the remanent kirks, wherunto ministers cannot be had presentlie, may be served, and that till the present old possessors of the benefices be departed this life.

"That they give their opinioun and advice of that portioun of rents perteaning to kirks before the alteratioun of religioun, which they thinke sall fall to us, incace all benefices were now vacand; and in the meane time, whill that be, what we sall have yeerelie for support of our estat, and publict effaires of our realme.

"That they consider the forme and proceeding how the taxe for the spirituall men's part sall be payed in times comming.

"As also, to make us some likelie and good overture for the persons that sall occupie the place of the spirituall state in our parliament in times comming, after the deceasse of the present possessors of the places, in respect of the great decay of the rents therof.

"That they send us their good advice, how a forme of judgement may be established, till a parliament, for calling of persons provided to benefices since our coronatioun to be deprived therefra, upon the clause writant, conteaned in their provisions, for not doing of their duetie in their vocations, but leaving their charges, and medling with their secular bussinesses.

"That the Assemblie give their advice upon the forme of presentatioun that we sall give, to be provided to benefices, if this order tak effect; to whom our presentations sall be directed; what sall be the forme and order of the triell, and how the person presented sall be tried; and what forme of admission or collation."

FOR A GROUND THIR HEEDS ARE TO BE CONSIDERED.

"That beside the diocie of Argile and the Iles, of which bounds never rentals were yitt givin up, there are in Scotland about 924 kirks, compting five score to the hundreth. Of these, sindrie are

pendicles and small parishes, and manie kirks are demolished. Some parishes also are of greater bounds than that the parochiners may convenientlie conveene to their parish kirks. It hath beene thought meete, therefore, to reduce thir 924 kirks to 600, and at everie kirk to have a minister, their stipends and livings to be modified in foure degrees.

"An hundreth at	.	500 merk the peece.
"Two hundreth at	.	300 merk the peece.
"Two hundreth at	.	100 pund the peece.
"An hundreth at	.	100 merk the peece.

"Or somwhat more or lesse, as it may be neere thir summes, beneath or above.

"All stipends and livings to be modified, according to the possibilitie of the rent payed in that place.

"These considerations are to be takin, although all the benefices were presentlie vaiking.

"Where the personage and vicarage pensioun at anie kirk are now severall benefices, to be all united and annexed in one, for the better susteaning of the ministrie there.

"These 600 kirks to be divided in 50 presbytereis, 12 joyned in everie presbyterie, or thereabout.

"Three of these presbytereis, or moe or fewer, as the countrie lyeth, to make a diocie, according to a forme after following, to be considered of.

"The synodall assemblie sall consist of a certan number of presbytereis; and everie synodall assemblie sall appoint the place within that province for their nixt synodall.

"Of persons directed from the synodall assembleis sall the Generall Assemblie consist.

"Kirks divided in quarters, to be provided to one man; and if these quarters be annexed to anie other benefices, the quarters to be dissevered out of the provisions of the persons to be provided to these benefices, when they vaike.

"The kirks divided *inter prebendarios*, to be givin to the ministers, as they vaike.

"All benefices provided to ministers, to be divided the yeere of their deceasse, equallie betwixt their wives, barnes, or executers, and the intrant ministers.

"Young men new come from schooles sall be onlie promoted to benefices and stipends of the lowest degree; and the eldest, and of greatest learning, judgement, and experience, sall be promoved or translated to the highest ranke, and so ascend *gradatim*, as they sall be judged and tried worthie, from three yeere to three yeere, for the better eschewing of ambition and avarice; and that the charge of the greatest congregations sall not be committed to the youngest ministers at the first, nor they preferred to the elder, of greater gravitie and judgement, at the first.

"The state of all prebendreis to be agnosced and considered, which are founded upon the tithes of the parish kirks, and which are temporall lands; to the effect, that suche prebendreis as are founded upon the tithes may accresce to the livings of the ministers serving at the kirk, and the other may be provided for the help of the schooles, in the best forme that may be devised. And alwise, the laick patronages to remain whole and undivided, except it be with consent of the patron."

A FORME OF THE PRESBYTEREIS AND DIOCEIS.

ORKNEY,	Tinguell,	BAMFF,	Bamff,
	Kirkwall.		Deir,
CATHNESSE,	Wick,		Kildrinnie.
	Dornoch.	ABERDEEN,	Aberdeen,
ROSSE,	Chanonrie,		Inneronre,
	Tayn,		Kincairdin-Oneill.
	Dingwell.	ANGUS,	Dundie,
MURREY,	Forresse,		Keremure,
	Elgine,		Bethynis.
	Innernesse.	MERNES,	Bernoy,

MERNES,	Fordoun.	LANERK,	Melrose,
DUNKELDEN,	Perth,		Pebles,
	Dunkelden,		Biggar.
	Creiff.	GLASGOW,	Lanerk,
ST ANDREWES,	St Andrewes,		Glasgow,
	Falkland,		Dumbartane.
	Dumfermline.	AIR,	Air,
EDINBURGH,	Stirline,		Irwing,
	Linlithquo,		Minnibole,
	Edinburgh,		Commonell.
	Dalkeith.	GALLOWAY,	Quhitterne,
HADINTON,	Hadinton,		Kirkcudbright.
	Dumbar.	DUMFREIS,	Dumfreis,
JEDBURGH,	Chirnside,		Pempont,
	Dunce,		Lochmabane,
	Kelso,		Annand.
	Jedburgh.		

The Assemblie understanding what was his Majestie's care over the kirk, praised God, that had so moved his heart; and entering in consideratioun of the answeres made to their articles, thought good that these articles following be insisted upon, with his Hienesse and counsell.

First, His Hienesse and counsell to be earnestlie desired to appoint a judge in Edinburgh, to cognosce and judge upon the injureis and wrongs done to ministers in executioun of their offices, and to punish according to the qualitie of the crimes, according to the forme of punishment to be givin in by the Assemblie; and that his Hienesse would appoint Mr Johne Skeene procurator for the ministers so injuried.

Item, That an act of parliament may be made, concerning the depositioun of ministers, and the causes at lenth to be expressed in this article.

Item, That vacand benefices be dispouned to the ministers, at the

kirk where the benefice vaiketh, if they be able, according to their meaning that conferred at Stirline.

TO THE KING'S PETITIONS.

As to the first petitioun, concerning the forming of the articles agreed upon in the conference, the Assemblie appointeth Mr Robert Pont, Mr David Lindsey, Mr Johne Skeen, Mr Thomas Craig, Mr Johne Craig, to that effect. As to the secund, delayed till after noone.

The thrid, reasonable and agreed unto.

The whole rest referred to reasoning till after noone.

COMMISSION FOR ESTABLISHING OF PRESBYTEREIS.

Some brethrein, who knew best the bounds of the countrie, were appointed to consider the rolls presented by the king's commissioner in the sixt sessioun, and to report their judgement to the Assemblie.

Sess. 8. Tuiching the report of the brethrein appointed to consider the placing of the kirks givin in to them in rolls, and to report their judgement what they thinke meet to be reformed therin, a great part of the saids rolls being reproduced, with their judgement, which they could presentlie resolve upon, in suche shortnesse of time, whill they be further resolved, with advice of their countreis, the whole Assemblie thought meet, that a beginning be had of the presbytereis instantlie, in the places after following, to be exemplars to the rest which may be established heerafter, viz., Edinburgh, Sanct Andrewes, Dundie, Perth, Stirline, Glasgow, Air, Irwing, Hadinton, Dumbar, Chirnside, Linlithquo, Dumfermline. To some of thir presbytereis were assigned twelve, to some sixteene, to some twentie, to some foure and twentie kirks, as the brethrein deputed to joyne them thought meetest, till better advice be had. And to the effect that this order of elderships may be established in the said touns, with convenient and expedient maner, the Assemblie hath nominated the brethrein underwrit-

tin to tak care, and travell to see the same constituted, betuixt and the last day of May nixt to come, viz. for Lothiane, Mr Robert Pont, Mr Adam Johnston, Mr James Carmichaell; for Fife, David Fergusone, Mr Thomas Buchanan; for Angus, the Laird of Dun, William Christesone, James Andersone, Mr James Melvill; for Stirline and Linlithquo, Mr Robert Montgomerie, Johne Duncansone, the Bishop of Dumblane: for Glasgow, Mr Andrew Hay, Mr Thomas Smeton, Mr Andrew Polwart, and the Bishop of Glasgow; for Ayr and Irwing, Mr Johne Porterfeild, Mr Johne Young, Johne Makcorne; for the Merce, Johne Clapperton, Patrik Gaits; for Perth, the minister there, Mr William Rynd, Mr William Edmistone.

COMMISSIONS.

Commissioun was givin to Mr Andrew Hay, Mr Robert Pont, Mr David Lindsey, Mr Adam Johnstoun, Johne Durie, Johne Johnstoun, Mr Johne Davidsone, Mr Johne Craig, Johne Duncansone, and Johne Brand, or to the most part of their number, to summoun the ministers delated in the thrid sessioun for their scandalous lives, and to tak triell and inquisitioun of the haynous and slanderous accusations layed against them; and what they find by triell to report to the nixt Assemblie, that order may be takin with them, as sall be requisite, for purging of the kirk.

The Assemblie giveth full power and commissioun to their lovit brethrein, Mr Robert Pont, Mr James Lowsone, Mr David Lindsey, Mr Johne Craig, Johne Duncansone, Mr Adam Johnstoun, Johne Brand, Johne Durie, Mr Walter Balcalquall, to consider and advise upon the articles and petitions givin in by the king's Majestie's commissioner, in so farre as they are yitt unresolved in full Assemblie, rypelie to consult therupon, and crave the judgement of the best learned they can have; and to conceave a formall answere thereto in writt, to be presented by them to the nixt Generall Assemblie, to the effect the king's Majestie and counsell may receave a direct and solide answere thereto; as likewise, to

confer, reason, communicat, upon suche articles, with suche as pleaseth the king and his counsell to depute thereto, if need be; and farther, to intimat to his Hienesse, how farre the Assemblie hath proceeded concerning the answeres to his Hienesse' articles, and wherupon the Assemblie standeth, that his Hienesse may understand their willing concurrence with his Majestie's good intentioun, in establishing good policie within the kirk. The speciall informatioun to be givin to his Hienesse and counsell sall be this; that the Assemblie praiseth God greatlie for his Majestie's zealous and Christian affectioun for promoving of good order within the kirk; with thanks to his Hienesse for the labours which have beene takin for constitution of presbytereis, union and division of kirks, wherin the Assemblie had so farre travelled, that certan presbytereis are by them erected, some platts of kirks receaved, although not absolutlie ended, the names also of the persons the brethrein thinke meete to unite and divide the kirks, in a part receaved, as shortnesse of time and presence of the commissioners would permitt. Certan are appointed to forme the articles agreed on in conference, the advice of the Assemblie concerning directing of presentations, that they be directed to presbytereis, herewith to crave of his Hienesse, for performance of the work intended, that prelaceis be dissolved.

ACTS.

As for the act made in the Assemblie holdin at Dundie, against bishops, becaus some difficultie appeared to some brethrein to arise out of the word OFFICE, conteaned in the said act, what sould be meant thereby, the Assemblie, (for the most part that voted at Dundie were present,) to take away the said difficultie, and to cleare the true meaning of the said act, declareth, that they meant whollie to condemne the whole estats of bishops, as they are now in Scotland, and that the samine was the determinatioun and conclusioun of the Assemblie at that time. Some of the brethrein tooke the act to have meant onlie of the spirituall functioun. This

act maketh cleere, that their whole estat, both the spirituall and civill part, was damned.

2. The Assemblie ordeanneth everie eldership, in their first meeting which is to be holdin, to choose out of their number a moderator, to continue till the nixt Synodall Assemblie.

3. Forasmuche as abbots, commendatars, pryors, pryoresses, and bishops, provided of old under the name of ecclesiastical persons, bruike the rents and revenues of the kirk, without exercing anie spirituall functioun therin, devouring the patrimonie of the kirk, and daylie diminishing the rents of their benefices, the Assemblie hath determined and ordeanned, that all suche persons sall be cited by the presbytereis, to compeere before the nixt Generall Assemblie of the kirk, to submitt themselves thereto, as they will answere to the Assemblie.

4. Forasmuche as in Assemblies preceeding, the office of readers was declared to be no ordinar office within the kirk of God, and the admissioun of them was suspended till this present Assemblie, the Assemblie, in one voice, hath concluded, that in time comming no reader sall be admitted to the office of a reader by anie having power within the kirk.

5. As for the Confession of Faith, latelie sett furth by the king's Majestie's proclamatioun, and subscrived by his Hienesse, the Assemblie, in one voice, acknowledgeth the said Confessioun to be a Christian, true, and sound Confessioun, to be agreed unto by suche as truelie professe Christ's true religioun, and ought to be followed out uprightlie, as the samine is layed out in the said proclamatioun.

6. Forasmuche as travells have beene takin in framing the Policie of the Kirk, and diverse sutes have beene made to the magistrat for approbatioun therof, which albeit yitt have not takin the happie effect which good men would wishe; yitt, that the posteritie may judge weill of the present age, and of the meaning of this kirk, the Assemblie hath concluded, that the Booke of Policie, agreed to in diverse Assembleis before, sall be registred in the Acts of Assemblie, and remain therin *ad perpetuam rei memoriam*, and the copeis therof to be takin by everie presbyterie.

Seing the Booke of Policie was agreed unto in the first Assemblie, holdin *anno* 1578, and inserted in the Register of this Assemblie, I thought good to sett doun the names of suche commissioners as were present at the Generall Assembleis, from the Assemblie holdin in Aprile, *anno* 1578. Some of them were present at all thir Assembleis.

For Lothian: the Master of Marr, the Lairds of Dundas, Wauchton, younger, Corstorphine, Whittinghame, Carden, Merchinston, Hatton, Broxmouth, Braid, Pilrig, Elphinston, Fadownside, Blance, Carbarrie.

Commissioners of Touns. For Edinburgh: Johne Johnstone, Alexander Clerk, Johne Adamsone, Mr Clement Littill.

For Leith: Johne Williamsone, George Ker, Johne Little.

For Cannogate: Johne Seton, Alexander Segett, Thomas Hunter.

For Stirline: Robert Alexander.

Ministers: Mr Robert Pont, Mr James Lowsone, Johne Durie, Mr Johne Davidsone, Mr Walter Hay, Mr James Carmichaell, Mr David Lindsey, Johne Duncansone, Mr Andrew Blackhall, James Gibson, Mr Patrik Kinlochie, Mr Adam Johnston, William Sanderson, Johne Hereis, Mr Thomas Cranston, Mr Thomas Makgie, Mr William Strang, Mr Johne Spotiswod, sometime Superintendent of Lothiane, Mr Johne Bennet, Andrew Foster, Alexander Foster, Mr James Hammilton, Mr Robert Montgomrie, Mr Patrik Gillespie, David Hume, Mr Andrew Simsone.

For Merce: Ministers—Mr Patrik Gaits, Johne Clapperton, Robert Frenche, Matthew Liddell, Mr Thomas Storie.

For Tweddaill: the Laird of Blackbarronie, the Tutor of Drummalyer. Ministers—Mr Archibald Dowglas, Gilbert Hay, Walter Twedie.

For Tiviotdaill: Mr Andrew Clayhills.

For Annandaill and Nithisdaill: Roger Kilpatrik of Closburne, Robert Johnston of Carsillot, the Laird of Gairleis, the Laird of Johnstoun, the Laird of Auchinglasse. Ministers: Mr James Beton, Mr Archibald Meinzeis, William Tailyeour.

For Cliddisdaill, Renfrew, and Lennox: Johne Schaw of Greenocke, Johne Temple of Fulwod, Hugh Cunninghame of Watersone, James Stirline of Keir, the Laird of Lee, the Laird of Dunrod, the Laird of Calderwod. Ministers and Professors of Universiteis: Mr Andrew Melvill, Mr Thomas Smeton, Mr Andrew Polwart, Mr David Wemes, Mr Andrew Hay, Mr Patrik Scharpe, Mr Peter Blackburne, Mr James Melvill, Mr Johne Howesone, Mr Thomas Jacke, Mr James Fleeming, Mr Walter Haddin, Mr Thomas Lindsey, Mr Robert Lindsey, Mr Johne Davidsone, Mr Patrik Wakinschaw, Mr Robert Darroch, Johne Porterfeild, Mr William Struthers, Mr Johne Hammiltoun, Johne Lieverence. Commissioners from Glasgow: George Elphinston, Robert Stewart, Johne Graham.

For Kile, Carict, and Cunninghame: the Laird of Carnall, the Laird of Carleton, the Laird of Stair. Ministers—Mr Robert Wilkie, Mr Johne Young, Mr David Mill, Johne Makcorne, Mr Johne Nisbit, Mr Peter Prymrose, Mr William Hammilton, Mr James Greg, James Dalrumpell, Mr Johne Dowglas.

For Dumblane: Thomas Drummond, Thomas Smeton, Alexander Segy, Mr Andrew Young, Mr William Stirline, Alexander Fergusone.

For Fife, East and West: the Lairds of Colluthie, Killernie, Lundie, Segy, Abbotshall, younger, Reiresse, Balfoure, Balmuto, Lochlevin, Abbotshall, Patrik Kinninmonth. Ministers—Mr Patrik Adamsone, Mr William Clerk, Mr Thomas Buchanan, Mr Alexander Jardane, Mr Johne Durhame, Mr Thomas Brown, Mr Thomas Bigger, Johne Dykes, Mr Johne Edmiston, Mr David Spence, Adam Mitchell, Johne Burne, Johne Ure, Mr George Boswell, Peter Blekwod.

For Angus and Mernes, and the west parts of Gowrie: Mr Johne Hepburne, Mr James Melvill, Mr James Balfour, Mr Patrik Galloway, William Christesone, Mr Johne Christesone, James Andersone, Charles Mitchelsone, Mr Andrew Mill, Johne Nevie, Patrik Bonkle, Alexander Keith, Mr James Nicolsone. For Dundie: Robert Reid, Richard Blyth.

For Dunkelden, and the kirks of Sanct Andrewes, within Strathearne and Gowrie: the Erle of Atholl, the Erle of Montrose, the Laird of Grantullie, the Baron of Fingask, Patrik Murrey of Tibbermure, George Drummond of Blair, the Laird of Cragie, Mr James Hering, Mr Alexander Dunmirrie, Mr Johne Row, Duncan Makcala, Mr William Edmiston, Mr William Blase.

For Murrey: Mr Patrik Auchinfleck, Mr Johne Keith, Mr George Leslie, Mr Andrew Simsone, Mr Johne Inneis.

For Rosse and Orkney: Mr Johne Rosse, Mr Gilbert Foulsie, Mr George Hay, Commissioner of Cathnesse.

THE SECOND BUIK OF DISCIPLINE, OR HEIDIS AND CONCLUSIONES OF THE POLICIE OF THE KIRK.

CHAP. I.

Of the Kirk and Policie thereof in generall, and quherein it is different from the Civill Policie.

1. The kirk of God is sumtymes largelie takin for all them that professe the Evangill of Jesus Christ, and so it is a company and fellowship not onely of the godly, but also of hypocrites professing alwayis outwardly ane true religion. Uther tymes it is takin for the godlie and elect onlie, and sometymes for them that exerce spiritual function amongis the congregation of them that professe the truth.

2. The kirke in this last sense hes a certane power grantit be God, according to the quhilk it uses a proper jurisdiction and governement, exerciseit to the confort of the haill kirk. This power ecclesiasticall is an authoritie granted be God the Father, throw the Mediator Jesus Christ, unto his kirk gatherit, and having the ground in the Word of God; to be put in execution be them, unto quhom the spirituall government of the kirk be lawfull calling is committit.

3. The policie of the kirk flowing from this power, is an order or forme of spirituall government, quhilk is exercisit be the members appoyntit thereto be the Word of God; and therefore is gevin immediatly to the office-beararis, be quhom it is exercisit to the weile of the haill bodie. This power is diverslie usit; for sumtyme it is severally exercisit, chiefly by the teacharis, sumtyme conjunctly, be mutuall consent of them that beir the office and charge, efter the forme of judgement. The former is commonly callit *potestas ordinis*, and the uther *potestas jurisdictionis*. These two kinds of power have both one authority, one ground, one finall cause, but are different in the manner and forme of execution, as is evident be the speiking of our Master in the 16th and 18th of Matthew.

4. This power and policie ecclesiasticall is different and distinct in the awin nature from that power and policie quhilk is callit the civill power, and appertenis to the civill government of the common welth; albeit they be both of God, and tend to one end, if they be rightlie usit, *to wit*, to advance the glorie of God, and to have godlie and gud subjectis.

5. For this power ecclesiasticall flowes immediatlie from God, and the Mediator Jesus Christ, and is spirituall, not having a temporall heid on earth, bot onlie Christ, the onlie spirituall King and Governour of his kirk.

6. It is a title falslie usurpit by Antichrist to call himselfe Heid of the kirk, and aucht not to be attribute to angel nor man, of what estait that ever he be, saving to Christ, the onlie Heid and Monarch of the kirk.

7. Therefore this power and policie of the kirk sould leane upon the Word immediatlie, as the onlie ground thereof, and sould be tane from the pure fountaines of the Scriptures, the kirk hearing the voyce of Christ, the onlie spirituall King, and being rewlit be his lawes.

8. It is proper to kings, princes, and magistrates, to be callit lordis, and dominators over their subjectis, whom they govern civilly; bot it is proper to Christ onlie to be callit Lord and Master

in the spirituall government of the kirk: and all uthers that bearis office therein aucht not to usurp dominion therein, nor be callit lordis, bot onlie ministeris, disciples, and servantis. For it is Christis proper office to command and rewll his kirk universall, and every particular kirk, throw his Spirit and Word, be the ministrie of men.

9. Notwithstanding, as the ministeris and uthers of the ecclesiasticall estait ar subject to the magistrat civill, so aught the person of the magistrat be subject to the kirk spiritually, and in ecclesiasticall government. And the exercise of both these jurisdictiones cannot stand in one person ordinarlie. The civill power is callit the Power of the Sword, and the uther the Power of the Keyes.

10. The civill power sould command the spirituall to exercise and doe their office according to the Word of God: The spirituall rewlaris sould requyre the Christian magistrate to minister justice, and punish vyce, and to maintaine the libertie and quietness of the kirk within their boundis.

11. The magistrate commandes externall thingis for externall peace and quyetnes amongis the subjects: The minister handles externall thingis onlie for conscience, cause.

12. The magistrat handles externall things onlie, and actions done befoir men: Bot the spiritual rewlar judges both inward affectionis and externall actionis, in respect of conscience, be the Word of God.

13. The civill magistrat craves and gettis obedience be the sword, and uther externall meanis: Bot the ministeris be the spiritual sword, and spirituall meanis.

14. The magistrat neither aucht to preich, minister the sacramentis, nor execute the censuris of the kirk, nor yet prescryve any rewll how it sould be done; bot command the ministeris to observe the rewll commandit in the Word, and punish the transgressouris be civill meanes: The ministeris exerce not the civill jurisdictioun, bot teich the magistrat how it sould be exercit according to the Word.

15. The magistrat aucht to assist, mentain, and fortifie, the jurisdiction of the kirk. The ministeris sould assist their princes in all thingis agreiable to the Word, providing they neglect not their awin charge be involving themselfis in civill affairis.

Finally, as ministeris are subject to the judgement and punishment of the magistrat in externall things, if they offend; so aucht the magistratis to submit themselfis to the discipline of the kirk, gif they transgresse in matteris of conscience and religioun.

CHAP. II.

Of the Pairtes of the Policie of the Kirk, and Persons or Office-beiraris to whom the Administratioun is committit.

1. As in the civill policie the haill common welth consistis in them that ar governours or magistratis, and them that ar governit or subjects; so in the policie of the kirk sum ar appointit to be rewlaris, and the rest of the members thereof to be rewlit and obey, according to the Word of God and inspiratioun of his Spirit, alwayis under one heid and chiefe governour, Jesus Christ.

2. Againe, the haill policie of the kirk consisteth in three things, viz. in doctrine, discipline, and distribution. With doctrine is annexit the administratioun of sacramentis. And according to the pairtes of this division, arisis a threfald sort of office-beiraris in the kirk, to wit, of ministeris or preachers, eldaris or governours, and deaconis or distributeris.

3. And all these may be callit be ane generall word, ministers of the kirk. For albeit the kirk of God be rewlit and governit be Jesus Christ, who is the onlie King, Hie Priest, and Heid thereof, yit he useis the ministry of men, as ane most necessar middis for this purpose. For so he hes from tyme to tyme, befoir the Law, under the Law, and in the tyme of the Evangell, for our great comfort raisit up men indewit with the giftis of his Spreit, for the spirituall government of his kirk, exercising be them his awin power, throw his Spreit and Word, to the beilding of the same.

4. And to take away all occasion of tyrannie, he willis that they sould rewl with mutuall consent of brether, and equality of power, every one according to thair functiones.

5. In the New Testament, and tyme of the Evangell, he hes usit the ministry of the apostles, prophetis, evangelistes, pastouris, and doctoris, in the administratioun of the Word; the elderschip for gude order, and administratioun of discipline; the deaconschip to have the cure of the ecclesiasticall gudis.

6. Sum of thir ecclesiasticall functiones ar ordinar, and sum extraordinar or temporarie. There be three extraordinar functiones: the office of the apostle, of the evangelist, and of the prophet, quhilkis ar not perpetuall, and now have ceisit in the kirk of God, except quhen He pleasit extraordinarly for a tyme to steir sum of them up againe. There are foure ordinarie functiones or offices in the kirk of God: the office of the pastor, minister, or bishop; the doctor; the presbytar or eldar; and the deacon.

7. Thir offices ar ordinar, and aucht to continue perpetually in the kirk, as necessar for the government and policie of the same, and no moe offices aucht to be receivit or sufferit in the trew kirk of God, establishit according to his Word.

8. Therefore, all the ambitious titles inventit in the kingdome of Antichrist, and in his usurpit hierarchie, quhilkis ar not of ane of these foure sorts, togither with the offices depending thereupon, in ane word, aucht all utterlie to be rejectit.

CHAP. III.

How the Persones that beir Ecclesiasticall Functiones ar admitted to thair Office.

1. Vocation or calling is common to all that sould beir office within the kirk, quhilk is a lawfull way, be the quhilk qualifiet persones ar promotit to any spiritual office within the kirk of God. Without this lawful calling it was never leisum to any person to medle with any function ecclesiasticall.

2. There are twa sorts of calling; ane extraordinar, be God him-

self immediatlie, as war the prophetis and apostiles, quhilk in kirks establishit, and well already reformit, hes no place.

3. The uther calling is ordinar, quhilk, besydes the calling of God, and inward testimonie of a gude conscience, hes the lawfull approbation and outward judgement of men, according to Godis Word, and order establishit in his kirk. Nane aucht to presume to enter in any office ecclesiasticall without he have this testimony of a good conscience before God, who only knaws the hartis of men.

4. This ordinar and outward calling hes twa parts, election and ordination. Election is the chusing out of a person or persons maist abile to the office that vaikes, be the judgement of the elderschip and consent of the congregation to whom the person or persons beis appointed. The qualities in generall requisite in all them wha sould beir charge in the kirk, consist in soundness of religion and godlines of lyfe, according as they ar sufficiently set furth in the Word.

5. In the order of election it is to be eschewit that na person be intrusit in ony of the offices of the kirk contrar to the will of the congregation to whom they ar appointed, or without the voce of the elderschip. Nane aucht to be intrusit, or enterit in the places alreadie plantit, or in any rowme that vaikes not, for any warldlie respect: and that quhilk is callit the benefice aucht to be nothing else but the stipend of the ministers that ar lawfullie callit and electit.

6. Ordinatione is the separatione and sanctifying of the persone appointit of God and his kirk, eftir he be weill tryit and fund qualifiet. The ceremonies of ordinatione are fasting, earnest prayer, and imposition of hands of the elderschip.

7. All thir, as they must be raisit up be God, and be him made able for the wark quhairto they ar callit; so aucht they knaw their message to be limitit within God's Word, without the quhilk bounds they aucht not to passe. All thir sould tak these titils and names onlie (leist they be exaltit and puft up in themselfis) quhilk the Scriptures gevis unto them, as these quhilks import labour, travell, and wark; and ar names of offices and service, and not of idle-

ness, dignitie, warldlie honour, and preheminence, quhilk be Christ our Maister is expreslie reprovit and forbidden.

8. All these office-beararis sould have their awin particular flockis amongst whom they exercise their charge; and sould mak residence with them, and tak the inspection and oversicht of them, everie ane in his vocation. And, generallie, thir twa things aucht they all to respect, the glorie of God, and edifieing of his kirk, in discharging their dewties in their callings.

CHAP. IV.

Of the Office-beararis in particular; and, first, of the Pastoris or Ministeris.

1. Pastors, bischops, or ministers, ar they wha ar appointit to particular congregationes, quhilk they rewll be the Word of God, and over the quhilk they watch. In respect whairof sumetymes they ar callit pastors, becaus they feid their congregation; sumetymes *episcopi*, or bischops, because they watch over their flock; sumetymes ministers, be reason of their service and office; and sumetymes also *presbyteri*, or seniors, for the gravity in manners quhilk they aucht to have in taking cure of the spirituall government, quhilk aucht to be most deir unto them.

2. They that are callit unto the ministrie, or that offer themselfis thereunto, aucht not to be electit without ane certain flock be assignit unto them.

3. Na man aucht to ingyre himselfe, or usurpe this office, without lawfull calling.

4. They that ar anis callit be God, and dewlie electit be man, eftir that they have anis acceptit the charge of the ministrie, may not leive their functions. The desertours sould be admonishit; and, in case of obstinacie, finallie excommunicate.

5. Na pastor may leive his flock without licence of the provinciall or nationall Assemblie; quhilk gif he do, eftir admonition not obeyit, let the censures of the kirk stryke upon him.

6. Unto the pastor apperteinis teaching of the Word of God,

in season and out of season, publicklie and privatelie; alwayes travelling to edifie and discharge his conscience, as God's Word prescryves to him.

7. Unto the pastor onlie apperteins the administration of the Sacramentis, in lyke manner as the administration of the Word: for baith ar appointit be God as meanes to teach us; the ane be the ear, and the uther be the eyes and uther senses, that be baith, knawledge may be transferrit to the mynde.

8. It apperteinis, be the same reason, to the pastor to pray for the people, and namely, for the flock committed to his charge; and to blesse them in the name of the Lord, who will not suffer the blessings of his faithful servants to be frustrat.

9. He aucht also to watch over the manners of his flock, that the better he may apply the doctrine to them, in reprehending the dissolute persons, and exhorting the godlie to continue in the feir of the Lord.

10. It apperteines to the minister, eftir lawfull proceiding be the elderschip, to pronunce the sentence of binding and lowsing upon any person, according unto the power of the keyes grantit unto the kirk.

11. It belongs to him lykewyse, eftir lawfull proceiding in the matter be the elderschip, to solemnizate mariage betwixt them that ar to be joynit therein; and to pronounce the blessing of the Lord upon them that enter in that holie band in the feir of God.

12. And, generallie, all publick denunciations that ar to be made in the kirk before the congregation, concerning the ecclesiasticall affaires, belong to the office of a minister; for he is as messenger and herauld betwix God and the people in all these affairs.

CHAP. V.

Of Doctors and thair Office; and of the Schoolis.

1. Ane of the twa ordinar and perpetuall functions that travell in the Word is the office of the doctor, quha also may be callit

prophet, bischop, elder, catechizar, that is, teicher of the Catechisme, and rudiments of religione.

2. His office is to open up the mynde of the Spirit of God in the Scriptures simplie, without sic applications as the minister usis; to the end that the faithfull may be instructit, and sound doctrine teichit, and that the purity of the Gospell be not corruptit throw ignorance or evill opinions.

3. He is different from the pastor not onelie in name, but in diversity of gifts. For to the doctor is givin the word of knawledge, to open up, be simple teiching, the mysteries of faith; to the pastor, the gift of wisedome, to apply the same, be exhortation, to the manners of the flock, as occasion craveth.

4. Under the name and office of a doctor, we comprehend also the order in schooles, colledges, and universities, quhilk hes bene from tyme to tyme carefullie maintainit, als weill amang the Jewes and Christians as amangs the prophane nations.

5. The doctor being an elder, as said is, sould assist the pastor in the governement of the kirk, and concurre with the elders, his brethren, in all assemblies, be reason the interpretation of the Word (quhilk is onlie judge in ecclesiastical matters) is committit to his charge.

6. Bot to preich unto the people, to minister the sacraments, and to celebrate mariages, perteines not to the doctor, unlesse he be utherwyse orderlie callit. Howbeit, the pastor may teich in the schoolis, as he wha hes also the gift of knawledge oftentimes meit therefore, as the examples of Polycarpus and uthers testifie.

CHAP. VI.

Of Elders and their Office.

1. The word *eldar* in the Scripture sumetyme is the name of age, sumetyme of office. When it is the name of an office, sumetyme it is taken largely, comprehending als weill the pastors and doctors, as them who are callit seniors or elders.

2. In this our division, we call these elders whom the Apostles call

presidents or governours. Their office as it is ordinar, so is it perpetuall, and alwayes necessar in the kirk of God. The elderschip is a spirituall function, as is the ministrie. Eldaris anis lawfully callit to the office, and having gifts of God meit to exercise the same, may not leive it again. Albeit sic a number of eldars may be chosen in certane congregations, that ane pairt of them may reliefe anuther for a reasonable space, as was among the Levites under the law in serving of the Temple. The number of the eldars in every congregation cannot weill be limitit, but sould be according to the bounds and necessitie of the people.

3. It is not necessar that all elders be also teichars of the Word, albeit chiefly they aucht to be sic, and swa ar worthie of double honour. What manner of persons they aucht to be, we referre it to the expresse Word of God, and, namely, the Canons written be the Apostle Paul.

4. Their office is, als weill severallie as conjunctlie, to watch diligently upon the flock committit to their charge, baith publickly and privately, that na corruption of religion or manners enter therein.

5. As the pastors and doctors sould be diligent in teiching and sawing the seed of the Word, so the elders sould be cairfull in seiking the fruit of the same in the people.

6. It apperteines to them to assist the pastor in examination of them that cumis to the Lord's Table: *Item*, in visiting the sick.

7. They sould cause the actes of the Assemblies, als weill particular as provinciall or generall, to be putt in execution cairefullie.

8. They sould be diligent in admonishing all men of their dewtie, according to the rewl of the Evangell. Things that they cannot correct be privat admonitions, they sould bring to the assemblie of the elderschip.

9. Their principall office is to hald assemblies with the pastors and doctors, (who ar also of thair number,) for establishing of gude ordor, and execution of discipline. Unto the quhilks assemblies all persones ar subject that remain within thair bounds.

CHAP. VII.

Of the Eldarschips, and Assemblies, and Discipline.

1. Elderschips and assemblies are commonlie constitute of pastors, doctors, and sic as we commonlie call elders, that labour not in the Word and doctrine, of quhom, and of whais severall power, hes bene spokin.

2. Assemblies ar of four sortis. For aither ar they of particular kirks and congregations, ane or ma, or of a province, or of ane haill nation, or of all and divers nations professing one Jesus Christ.

3. All the ecclesiasticall assemblies have power to convene lawfully togidder for treating of things concerning the kirk, and perteining to thair charge. They have power to appoynt tymes and places to that effect; and at ane meiting to appoynt the dyet, time, and place, for anuther.

4. In all assemblies ane moderator sould be chosen, by common consent of the haill brethren convenit, who sould propone matters, gather the votes, and cause gude ordor to be keipit in the assemblies. Diligence sould be taken, chiefly be the moderator, that onlie ecclesiasticall things be handlit in the assemblies, and that there be na medling with ony thing perteining to the civill jurisdiction.

5. Every assembly hes power to send furth from them of their awin number, ane or moe visitours to sie how all things beis rewlit in the bounds of thair jurisdiction. Visitation of mae kirks is na ordinar office ecclesiastick in the person of ane man, naither may the name of a bischop be attribute to the visitor onlie, naither is it necessar to abyde alwayes in ane man's person; but it is the part of the elderschip to send out qualifeit persons to visit *pro re nata*.

6. The finall end of all assemblies is, first, to keip the religion and doctrine in puritie, without error and corruption; next, to keip cumelines and gude ordor in the kirk.

7. For this order's cause, they may make certane rewls and con-

stitutions apperteining to the gude behaviour of all the members of the kirk in thair vocation.

8. They have power also to abrogate and abolish all statutes and ordinances concerning ecclesiasticall matters that are found noysome and uprofitable, and agrie not with the tyme, or ar abusit be the people.

9. They have power to execute ecclesiastical discipline and punishment upon all transgressors and proud contemners of the gude order and policie of the kirk; and swa, the haill discipline is in thair hands.

10. The first kynde and sort of assemblies, although they be within particular congregations, yet they exerce the power, authoritie, and jurisdiction, of the kirk with mutuall consent, and therefore beir sumtyme the name of the kirk. When we speik of the elders of the particular congregations, we mein not that every particular parish kirk can, or may have, their awin particular elderschips, specially to landwart; bot we think thrie or four, mae or fewar, particular kirks, may have ane common elderschip to them all, to judge thair ecclesiasticall causes. Albeit this is meit, that some of the elders be chosen out of every particular congregation, to concurre with the rest of their brethren in the common assemblie, and to take up the delations of offences within their awin kirks, and bring them to the Assemblie. This we gather of the practise of the primitive kirk, where elders, or colleges of seniors, were constitute in cities and famous places.

11. The power of thir particular elderschips is to give diligent labours in the boundis committit to thair charge, that the kirks be keipit in gude order; to inquire diligently of nauchtie and unruly persons, and to travell to bring them in the way againe, aither be admonition, or threatning of God's judgements, or be correction.

12. It pertaines to the elderschip to take heid that the Word of God be purely preichit within their bounds, the sacraments rightly ministrat, the discipline rightly mantenit, and the ecclesiasticall gudes uncorruptlie distributit.

13. It belangs to this kynde of assembly, to cause the ordinances

made be the assemblies, provinciall, nationall, and generall, to be keipit, and put in execution; to mak constitutions quhilk concerne τὸ πρέπον in the kirk, for the decent order of these particular kirks where they governe; provyding they alter no rewls made by the general or provinciall assemblies, and that they mak the provinciall assemblies foresein of these rewls that they sal mak, and abolish them that tend to the hurt of the same.

14. It hes power to excommunicat the obstinat.

15. The power of election of them who beir ecclesiasticall charges perteines to this kynde of assemblie, within thair awin bounds, being well erectit, and constitute of many pastors and elders of sufficient abilitie.

16. By the like reason their deposition also perteins to this kynde of assemblie, as of them that teich erronious and corrupt doctrine; that be of sclanderous lyfe, and, efter admonition, desist not; that be gine to schisme or rebellion against the kirke, manifest blasphemie, simonie, corruption of brybes, falsett, perjurie, whoredome, thift, drunkennes, feghting worthy of punishment be the law, usurie, dancing, infamie, and all uthers that deserve separation fra the kirk: these also who are fund altogither unsufficient to execute their charge sould be deposit; quhairof uther kirks wald be advertisit, that they receive not the persons deposit.

17. Yet they aucht not to be deposit wha, throw age, sicknes, or uther accidents, become unmeit to do thair office; in the quhilk case their honour sould remain to them, their kirks sould mantein them; and uthers aucht to be provedit to do thair office.

18. Provinciall assemblies we call lawful conventions of the pastors, doctors, and uther eldaris of a province, gatherit for the common affaires of the kirkes thereof, quhilk also may be callit the conference of the kirk and brethren.

19. Thir assemblies are institute for weighty matters, to be intreatit be mutuall consent and assistance of the brethren within the provinces, as neid requyres.

20. This assemblie hes power to handle, order, and redresse, all things omittit or done amisse in the particular assemblies. It hes

power to depose the office-beirers of that province for gude and just causes deserving deprivation. And, generallie, thir assemblies have the haill power of the particular elderschips whairof they ar collectit.

21. The nationall assemblie, quhilk is generall to us, is a lawfull convention of the haill kirks of the realm or nation, where it is usit and gatherit for the common affaires of the kirk; and may be callit the generall eldership of the haill kirk within the realme. Nane ar subject to repaire to this assemblie to vote bot ecclesiasticall persons, to sic a number as shall be thocht gude be the same assemblie; not excluding uther persons that will repaire to the said assemblie, to propone, heir, and reason.

22. This assemblie is institute, that all things aither omittit or done amisse in the provinciall assemblies may be redressit and handlit; and things generally serving for the weill of the haill bodie of the kirk within the realme may be foirsein, intreatit, and set furth to Godis glorie.

23. It sould tak cair that kirks be plantit in places quhair they are not plantit. It sould prescryve the rewll how the uther twa kynds of assemblies sould proceid in all things.

24. This assemblie sould tak heid that the spirituall jurisdiction and civill be not confoundit to the hurt of the kirk: that the patrimonie of the kirk be not diminishit nor abusit; and, generallie, concerning all weighty affaires that concerne the weill and gude ordor of the haill kirks of the realm, it aucht to interpone authoritie thairto.

25. There is, besydes these, an uther mair generall kynde of assemblie, quhilk is of all nations and estaits of persons within the kirk, representing the universall kirk of Christ; quhilk may be callit properlie the Generall Assemblie or Generall Councell of the haill Kirk of God.

These assemblies were appoyntit and callit together, specially when ony great schisme or contraversie in doctrine did aryse in the kirk; and wer convocat at command of godlie emperours being for the tyme, for avoiding of schismes within the universal Kirk of

God; quhilk, because they apperteine not to the particular estait of ane realme, we ceis further to speik of them.

CHAP. VIII.

Of the Deaconis and thair Office, the last ordinar Function in the Kirk.

1. The word Διάκονος sumtymes is largely takin, comprehending all them that beir office in the ministrie and spirituall function in the kirk. Bot now, as we speik, it is taken only for them unto whom the collection and distribution of the almes of the faithfull, and ecclesiasticall gudes, does belang.

2. The office of the deacon, sa takin, is an ordinar and perpetuall ecclesiasticall function in the kirk of Christ. Of what properties and dewties he oucht to be that is callit to this function, we remit it to the manifest Scriptures. The deacon aucht to be callit and electit as the rest of the spirituall officers; of the quilk election was spoken befoir.

3. Thair office and power is to receave and to distribute the haill ecclesiasticall gudes unto them to whom they ar appoyntit. This they aucht to do according to the judgement and appoyntment of the presbyteries or elderschips, (of the quhilk the deacons ar not,) that the patrimonie of the kirk and puir be not convertit to privat men's usis, nor wrangfullie distributit.

CHAP. IX.

Of the Patrimonie of the Kirk, and Distribution thairof.

1. Be the patrimonie of the kirk we mein whatsumever thing hath bene at ony time before, or shall be in tymes coming, gevin, or be consent or universall custome of countries professing the Christian religion, applyit to the publique usé and utilitie of the kirk. Swa that under this patrimonie we comprehend all things gevin, or to be gevin, to the kirk and service of God, as lands, biggings, possessions, annual-rents, and all sic lyke, wherewith the

kirk is dotit, aither be donations, foundations, mortifications, or ony uther lawfull titles, of kings, princes, or ony persons inferiour to them; togither with the continuall oblations of the faithfull. We comprehend also all sic things as be lawis, or custome, or use of countries, hes bene applyit to the use and utilitie of the kirk; of the quhilk sort ar teinds, manses, gleibs, and sic lyke, quhilks, be common and municipall lawis and universall custome, ar possessit be the kirk.

2. To tak ony of this patrimonie be unlawfull meinis, and convert it to the particular and profane use of ony person, we hald it ane detestable sacriledge befoir God.

3. The gudes ecclesiasticall aucht to be collectit and distributit be the deacons, as the Word of God appoynts, that they who beir office in the kirk be providit for without cair or solicitude. In the Apostolicall Kirk the deacons wer appoyntit to collect and distribute quhatsumevir was collectit of the faithfull to be distribute unto the necessitie of the saincts, sa that nane lackit amang the faithfull. These collections war not onlie of that quhilk was collectit in manner of almes, as sume suppose, but of uther gudes, moveable and unmoveable, of lands and possessions, the price quhairof was brocht to the feit of the Apostles. This office continuit in the deacons' hands, quha intromettit with the haill gudes of the kirk, ay and whill the estate therof was corruptit be Antichrist, as the ancient canons beir witnes.

4. The same canons mak mention of ane fourfald distribution of the patrimonie of the kirk, quhairof ane part was applyit to the pastor or bischop for his sustentation and hospitalitie; anuther to the elders and deacons, and all the clergie; the third to the puir, sick persons, and strangers; the fourth to the uphald and uther affaires of the kirk, speciallie extraordinar: We adde hereunto the schules and schuile maisters also, quhilk aucht and may be weill susteinit of the same gudes, and ar comprehended under the clergie. To wham we joyn also clerks of assemblies, als weill particular as generall; syndicks or procutors of the kirk affaires, takers up of psalmes, and sic lyke uther ordinar officers of the kirk, sa far as they ar necessar.

CHAP. X.

Of the Office of a Christian Magistrat in the Kirk.

1. Although all the members of the kirk be halden every ane in their vocation, and, according therto, to advance the kingdom of Jesus Christ, sa far as lyis in their power; yit chiefly Christian princes, and uther magistrates, ar halden to do the same: For they ar callit in the Scripture nourishers of the kirk, for sameikle as be them it is, or at least aucht to be, manteinit, fosterit, uphalden, and defendit agains all that wald procure the hurt thereof.

2. Sua it perteinis to the office of a Christian magistrat to assist and fortifie the godly proceidings of the kirk in all behalfes; and namely, to sie that the publique estait and ministrie thereof be manteinit and susteinit as it apperteins, according to Godis Word.

3. To sie that the kirk be not invadit nor hurt be false teichers and hyrelings, nor the rowmes therof be occupyit be dumb dogs, or idle bellies.

4. To assist and manteine the discipline of the kirk, and punish them civilly that will not obey the censure of the same; without confounding alwayis the ane jurisdiction with the uther.

5. To sie that sufficient provision be made for the ministrie, the schules, and the puir; and if they have not sufficient to awaite upon their charges, to supplie their indigence even with their awin rents, if neid require; to hald hand, als weill to the saving of their persons from injurie and opin violence, as to their rents and possessions, that they be not defraudit, robbit, or spuilziet therof.

6. Not to suffer the patrimony of the kirk to be applyit to profane and unlawful uses, or to be devorit be idle bellies, and sic as have na lawfull function in the kirk, to the hurt of the ministry, schules, puire, and other godlie uses, quhairupon the same aucht to be bestowit.

7. To mak lawis and constitutions agreeable to God's Word, for advancement of the kirk and policie therof, without usurping onie thing that perteins not to the civil sword, bot belangs to the

offices that ar meirlie ecclesiasticall; as is the ministrie of the Word and sacramentis, using of ecclesiasticall discipline, and the spirituall execution therof, or ony part of the power of the spirituall keyis, quhilks our Maister gave to the Apostles and their trew successours. And although kings and princes that be godlie, sumtymes, be their awin authority, whan the kirk is corruptit, and all things out of ordor, place ministers, and restore the trew service of the Lord, efter the examples of sum godly kings of Juda, and divers godly emperours and kings also in the licht of the New Testament; yit quhair the ministrie of the kirk is anes lawfullie constitute, and they that are placeit do thair office faithfullie, all godlie princes and magistratis aucht to heir and obey thair voice, and reverence the Majestie of the Son of God, speiking be them.

CHAP. XI.

Of the present Abuses remaining in the Kirk, quhilks we desyre to be Reformit.

1. As it is the dewtie of the godlie magistrat to mantein the present libertie quhilk God of his mercie hes grantit to the preaching of his Word, and the trew administration of the sacraments within this realme; sa is it to provyde, that all abuses quhilks as yit remaine in the kirk be removit, and utterly takin away.

2. Thairfoir, first, the admission of men to Papisticall titles of benefices, sic as serve not, nor have na function in the Reformit Kirk of Christ, as abbottis, commendatoris, prioris, prioressis, and uther titles of abbyis, quhais places are now for the most pairt, be the just judgement of God, demolishit and purgit of idolatrie, is plaine abusion; and is not to receive the kingdom of Christ amangs us, bot rather to refuse it.

3. Siclyke that they that of auld wer callit the chapiters and convents of abbayis, cathedrall kirks, and the lyke places, serve for nathing now, bot to set fewes and tacks, if ony thing be left of the kirk lands and teinds, in hurt and prejudice thairof, as daily experience teiches, and thairfoir aucht to be utterly abrogat and abo-

lishit. Of the lyke nature ar the deanes, archdeanes, chantors, subchantors, thesaurers, chancellars, and uthers having the lyke titles flowing from the Pape and canon law onlie, wha heve na place in the reformit kirk.

4. The kirks also quhilks ar unitit together, and joynit be annexation to thair benefices, aucht to be separatit and dividit, and gine to qualifiet ministers, as God's Word craves.

5. Neither aucht sic abusers of the kirk's patrimony to have vote in parliament, nor sit in councell under the name of the kirk and kirk-men, to the hurt and prejudice of the libertie thairof, and lawes of the realm made in favouris of the reformit kirk.

6. Meikle less is it lawfull, that ony person amang these men sould have fyve, sax, ten, or twenty kirks, or mae, all having the charge of saules: and bruik the patrimonie thairof, either be admission of the prince or of the kirk, in this licht of the Evangell: for it is but mockage to crave reformation where sic lyke hes place.

7. And albeit it was thocht gude, for avoyding of greater inconvenientis, that the auld possessors of sic benefices quha had imbracit the trew religion, suld injoy be permission the twa pairt of the rentis quhilks they possesst of befoir induring thair lyftyme; yit it is not tolerabil to continew in the lyke abuse, and geve these places and uthers benefices of new to als unmeit men or rather unmeitar, quha ar not myndit to serve in the kirk, bot leife an idle lyfe, as uthers did quha bruikit them in the tyme of blindnes.

8. And in sa farr as in the order takin at Leith, in the zeir of our Lord 1571, it appeires that sic may be admittit, being found qualifiet; either that pretendit order is agains all gude ordor, or else it must be understood not of them that be qualifiet in worldly affaires, or to serve in court; bot of sic as are qualifiet to teich Godis Word, having their lawfull admission of the kirk.

9. As to bischops, if the name ἐπισκοπος be properly takin, they ar all ane with the ministers, as befoir was declairit. For it is not a name of superioritie and lordschip, bot of office and watching. Yit, because in the corruption of the kirk, this name (as uthers) hes bene abusit, and yit is lykelie to be, we cannot allow

the fashion of thir new chosin bischops, neither of the chapiters that ar electors of them to sic offices as they ar chosen to.

10. Trew bischops sould addict themselves to ane particular flock, quhilk sindry of them refuses; neither sould they usurpe lordship over their brethren and over the inheritance of Christ, as these men doe.

11. Pastors, in sa far as they are pastors, have not the office of visitation of mae kirks joynit to the pastorship, without it be gine them. It is a corruption that bischops sould have farder boundis to visit nor they may lawfullie. Na man aucht to have the office of visitation, bot he that is lawfullie chosin be the presbytrie thereunto. The elderschips, being well establishit, have power to send out visitors ane or mae, with commission to visit the bounds within their elderschip: And siclyke, eftir compt takin of them, either continew them, or remove them from tyme to tyme; to the quhilks elderschips they shall be alwayes subject.

12. The criminall jurisdiction in the person of a pastor is a corruption.

13. It agries not with the Word of God that bischops sould be pastors of pastors, pastors of monie flocks, and yit without anie certaine flock, and without ordinar teiching. It agries not with the Scriptures, that they sould be exemit fra the correction of their brethren, and discipline of the particular elderschip of the kirk, where they shall serve; neither that they usurpe the office of visitation of uther kirks, nor ony uther function besyde uther ministers, bot sa far as sall be committit to them be the kirk.

14. Heirfoir we desyre the bischops that now ar, either to agrie to that order that God's Word requyres in them, as the generall kirk will prescryve unto them, not passing that bounds either in ecclesiasticall or civill affaires, or else to be deposit fra all function in the kirk.

15. We denye not, in the mein tyme, bot ministers may and sould assist their princes when they are requyrit, in all things agreiable to the Word, quhither it be in councell or parliament, or utherwayis; provyding alwayis they neither neglect their awin

charge, nor, throw flatterie of princes, hurt the publick estait of the kirk. Bot, generallie, we say, no person, under whatsumever title of the kirk, and specially the abusit titles in Papistrie, of prelates, convents, and chapters, aucht to attempt ony act in the kirk's name, either in councell or parliament, or out of councell, having na commission of the reformit kirk within this realme.

16. And be act of parliament it is provydit, that the Papisticall kirk and jurisdiction sould have na place within the same, and na bischop nor uther prelate in tymes cuming sould use ony jurisdiction flowing from his authoritie. And, again, that na uther ecclesiasticall jurisdiction sould be acknawledged within this realm, bot that quhilk is, and shall be in the reformit kirk, and flowing therefra. Sa we esteim halding of chapiters in Papisticall manner, aither in cathedrall kirks, abbayis, colledges, or uther conventuall places, usurping the name and authoritie of the kirk, to hurt the patrimonie thairof, or use ony uther act to the prejudice of the same, sen the zeir of our Lord 1560, to be abusion and corruption, contrar to the libertie of the trew kirk and lawis of the realme; and thairfor aucht to be annullit, reducit, and, in all tyme cuming, all utterlie dischargit.

17. The dependances also of this Papisticall jurisdiction ar to be abolishit, of the quhilk sort is the minglit jurisdiction of the Commissars, in so far as they meddle with ecclesiasticall matters, and have na commission of the kirk thairto, but wer erectit in tyme of our soveraignis mother, whan things wer out of order. It is an absurd thing that sindry of them having na function of the kirk, sould be judgis to ministers, and depose them from their roumis. Thairfoir they either wald be dischargit to medle with ecclesiasticall matters, or it wald be limitit to them in quhat matters they might be judges, and not hurt the libertie of the kirk.

18. They also that of befoir wer of the ecclesiasticall estait in the Papis kirk, or that ar admittit of new to Papisticall titles, and now ar tollerat, be the lawes of the realme, to possess the twa pairt of thair ecclesiasticall rents, aucht not to have ony farther libertie, bot to intromet with the portion assignit and grantit to them for

thair lyfetymes: and not, under the abusit titles quhilks they had, to dispone the kirk rentis, set tackes and fewes thairof at thair pleisure, to the grit hurt of the kirk, and puir lawbourers that dwell upon the kirk-lands, contrar to all good conscience and ordor.

CHAP. XII.

Certain speciall Heids of Reformation quhilk we crave.

1. Quhatsumever hes bene spokin of the offices of the kirk, the severall power of the office-beirars, their conjunct power also, and, last, of the patrimonie of the kirk, we understand it to be the right reformation, which God craves at our hands, that the kirk be orderit according thairto, as with that order quhilk is most agreeable to the Word. Bot because sum thingis wald be touched in particular, concerning the estait of the countrey, and that quhilk we principally seik to be reformit in the same, we have collectit them in thir heids following:

2. First, Seeing the haill countrey is dividit in provinces, and thir provinces again are dividit in parishes, als weill in landwart as in townes, in every parish and reasonable congregation there wald be placit ane or mae pastors to feid the flock, and no pastor or minister alwaies to be burdenit with the particular charge of mae kirks or flockes than ane alanerly.

3. And because it will be thocht hard to finde out pastors or ministers to all the paroch kirks of the realm, als well in landwart as in townes, we think, be the advice of sic as commission may be gine to, be the kirk and prince, parishes in landwart or small villages may be joyned twa or three, or mae, in sum places together; and the principall and maist commodious kirks to stand, and be repairit sufficiently, and qualifiet ministers placit thereat; and the uther kirks, quhilk ar not fund necessar, may be sufferit to decay, their kirk-yards alwaies beand kept for buriall places; and in sume places where neid requyres, ane parish, where the congregation is owir great for ane kirk, may be dividit in twa or mae.

4. Doctors wald be appointit in universities, colledges, and uther

places neidfull, and sufficiently provided for, to opin up the meining of the Scriptures, and to have the charge of schules, and teich the rudiments of religion.

5. As for elders, there waldbe sume to be censurers of the manners of the people, ane or mae in every congregation; bot not an assembly of eldars in every particular kirk, bot only in townes and famous places quhere resort of men of judgement and habilitie to that effect may be had; quhere the eldars of the particular kirks about may convene together, and have a common eldership and assembly place amang them, to treat of all things that concernes the congregations of which they have the oversicht.

6. And as there ought to be men appointit to unite and divyde the parishes, as necessity and commodity requyres; sa wald there be appointit be the generall kirk, with assent of the prince, sic men as feir God, and knaw the estait of the countries, that were able to nominate and desyne the places where the particular elderships sould convene; taking consideration of the diocesses as they were dividit of auld, and of the estait of the countries and provinces of the realme.

7. Lykewise, concerning provinciall and synodall assemblies, consideration wer easie to be taken, how mony and in quhat places they were to be halden, and how oft they sould convene, aucht to be referrit to the libertie of the general kirk, and order to be appoyntit therein.

8. The nationall assemblies of this countrey, callit commonlie the Generall Assemblies, aucht alwayes to be reteinit in their awin libertie, and have their awin place; with power to the kirk to appoynt tymes and places convenient for the same: and all men, als weill magistrats as inferiours, to be subject to the judgement of the same in ecclesiasticall causes, without any reclamation or appellation to ony judge, civill or ecclesiasticall, within the realm.

9. The libertie of the election of persons callit to the ecclesiasticall functions, and observit without interruption swa lang as the kirk was not corruptit be Antichrist, we desyre to be restorit and reteinit within this realm; swa that nane be intrusit upon ony

congregation, either be the prince or ony inferiour person, without lawfull election and the assent of the people owir quham the person is placit; as the practise of the apostolical and primitive kirk and gude order craves.

10. And because this order, quhilk God's Word craves, cannot stand with patronages and presentation to benefices usit in the Paipes kirk, we desyre all them that trewlie feir God earnestly to consider, that for swa meikle as the names of patronages and benefices, togither with the effect thairof, have flowit fra the Paip and corruption of the canon law only, in sa far as thereby ony person was intrusit or placit owir kirks having *curam animarum;* and for swa meikle as that manner of proceeding hes na ground in the Word of God, but is contrar to the same, and to the said libertie of election, they aucht not now to have place in this licht of reformation. And, therefore, quhasumever will embrace God's Word, and desyre the kingdome of his Son Christ Jesus to be advancit, they will also embrace, and receive that policie and order quhilk the Word of God and upright estait of his kirk craves; otherwise, it is in vaine that they have profest the same.

11. Notwithstanding, as concerning uther patronages of benefices that have not *curam animarum,* as they speak: such as ar chaplanries, prebendaries foundit upon temporall lands, annuals, and sic lyke, may be reservit unto the ancient patrones, to dispone thairupon, quhan they vaike, to schulis and bursars, as they are requyrit be act of Parliament.

12. As for the kirk rents in generall, we desyre the order to be admittit and mentainit amangis us, that may stand with the sinceritie of God's Word, and practise of the purity of the kirk of Christ; to wit, that as was before spoken, the haill rent and patrimonie of the kirk, exceptand the small patronages before mentionat, may be dividit in four portions: Ane thereof to be assignit to the pastor for his intertainment and hospitalitie: An uther to the eldars, deacons, and uther officers of the kirk, sic as clerks of assemblies, takers up of the psalmes, beadels and keipers of the kirk, sa far as is necessar; joyning therewith also the doctors of

schules, to help the ancient foundations where neid requires: The third portion to be bestowit upon the puir members of the faithfull, and on hospitals: The fourth, for reparation of the kirks, and uther extraordinar charges as ar profitable for the kirk; and also for the common weil, if neid requyre.

13. We desyre, therefore, the ecclesiasticall gudes to be upliftit, and distributit faithfullie to quham they appertein, and that be the ministerie of the deacons, to quhais office properlie the collection and distribution therof belangs; that the puir may be answerit of their portion thereof, and they of the ministery live without care and solicitude; as also the rest of the treasurie of the kirk may be reservit, and bestowit to their richt uses. Gif these deacons be electit with sic qualities as God's Word craves to be in them, their is na feir that they sall abuse themselfis in their office, as the prophane collectors did of before.

14. Yit because this vocation appeires to many to be dangerous, let them be oblishit, as they wer of auld, to a yeirlie count to the pastors and elderschip; and gif the kirk and prince think expedient, let cautioners be oblishit for their fidelitie, that the kirk rents on na wayes be dilapidat.

15. And to the effect this order may tak place, it is to be provydit, that all uthers, intromettors with the kirk rent, collectors, generall or speciall, whether it be by appointment of the prince, or utherwaies, may be denudit of farther intromission therewith; and suffer the kirk rents in tyme cumming to be haillie intromettit with be the ministrie of the deacons, and distribute to the use before mentionat.

16. And also, to the effect that the ecclesiasticall rents may suffice to these uses for the quhilk they ar to be appointit, we think it necessar to be desyrit, that all alienations, setting of fewes or tacks of the rents of the kirk, als weill lands as teinds, in hurt and diminution of the auld rentals, be reducit and annullit, and the patrimony of the kirk restorit to the former auld libertie. And lykewise, that in tymes cumming the teinds be set to nane bot to

the labourers of the ground, or els not set at all, as was agriet upon, and subscribit be the nobilitie of before.

CHAP. XIII.

The Utilitie that sall flow fra this Reformation to áll Estaites.

1. Seing the end of this spirituall government and policie, quhairof we speik, is that God may be glorifiet, the kingdom of Jesus Christ advancit, and all who are of his mysticall bodie may live peaceable in conscience; therefore we dar bauldlie affirme, that all these who have trew respect to thir ends, will even for conscience caus gladly agrie and conforme themselfis to this order, and advance the same, sa far as in them lyes; that their conscience being set at rest, they may be replenishit with spirituall gladnes in giving full obedience to that quhilk Godis Word, and the testimonie of their awin conscience, does crave, and in refusing all corruption contrar to the sam.

2. Nixt, we sall becum an example and paterne of gude and godly order to uther nations, countries, and kirks, professing the same religion with us; that as they have glorified God in our continueing in the sinceritie of the Word hitherto, without any errours, (praise be to His name;) so they may have the lyke occasion in our conversation, when as we conform our selfis to that discipline, pollicie, and gude order, quhilk the same Word and purity of reformatioun craveth at our hands: utherwise, that fearfull sentence may be justly said to us, "The servant knawing the will of his Maister, and not doing it," etc.

3. Maitover, gif we have any pity or respect to the puir members of Jesus Christ, who so greatly increase and multiplie amanges us, we will not suffer them to be langer defraudit of that part of the patrimonie of the kirk quhilk justly belangs unto them: And by this order, if it be deuly put to execution, the burden of them sall be taken of us to our great cónfort, the streits sall be cleansed of thair cryings and murmurings; swa as we sall na mair be an

skandall to uther nations, as we have hitherto bene, for not taking order with the puir amanges us, and causing the Word quhilk we profess to be evill spokin of, giving occasion of sclander to the enemies, and offending the consciences of the sempil and godly.

4. Besydes this, it sall be a great ease and commoditie to the haill common people, in relieving them of the beilding and uphalding of thair kirks, in bigging of brigges, and uther lyke publick warks. It sall be a relief to the labourers of the ground in payment of their teinds; and, schortlie, in all these things, whereinto they have bene hitherto rigorously handlit be them that were falslie callit kirkemen, thair tacksmen, factours, chalmerlanes, and extortionars.

Finally, to the king's Majestie and common weill of the countrey this profite shall redound: that the uther affaires of the kirk beand sufficientlie provydit according to the distribution of the quhilk hes bene spokin; the superplus beand collectit in the treasurie of the kirk, may be profitablie imployit, and liberallie bestowit upon the extraordinar support of the effaires of the prince and commoun weill, and speciallie, of that part quhilk is appoyntit for reparation of kirks.

Sa, to conclude, all beand willing to apply themselfis to this order, the people suffering themselfis to be rewlit according thereto: the princes and magistrates not beand exemit, and these that ar placit in the ecclesiasticall estait richtlie rewling and governing, God sall be glorifiet, the kirk edifiet, and the bounds thereof inlargit; Christ Jesus and his kingdome set up, Satan and his kingdome subvertit; and God sall dwell in the middis of us, to our comfort, through Jesus Christ, who, togither with the Father and the Holy Ghost, abydes blessit in all eternity. Amen.

CAPTAN JAMES HIS ADVANCEMENT.

Captane James Stuart was promoted to great honours. First, he was Tutor of Arran, but after was promoted to the Erledome of

Arran. He and Lennox ruled the king and counsell as they pleased.

CONSULTATION UPON THE CONDEMNATION OF THE ERLE OF MORTON.

Upon Moonday, the 3d of May, the lords conveened in Dalkeith, to consult upon the Erle of Morton's condemnatioun. Argile was a malcontent, because he saw Lennox attempt suche things as he looked not for at his entrie, and because Arran would have takin the office of Chancellerie from him; as also, becaus they were minded to accuse Morton of Bothwell's mariage with the queene, wherof he had a warrant from the queene, which none of the rest had, and he might have beene convicted of the same fault himself. The Lord Ruthven fell sicke, through a drinke of beare he gott in Dalkeith, so that his face and whole bodie brake out in blisters and swelling. The bruite went that he sould have beene poysouned.

THE ERLE OF MORTON BROUGHT FROM DUMBARTANE.

Upon Moonday, the 22d of May, two and fiftie citicens of Edinburgh, or, as others report, seventie-eight, were charged by opin proclamatioun to passe off the toun, and not to come neere the king by tenne myle. They feared that they sould raise trouble in the toun, in time of the triell of the Erle of Morton. The Erles of Arran and Montrose, with their freinds and dependers, and sindrie men of warre both on hors and foote, went to Dumbartane upon the 23d of May, and upon the 27th of May, returned with the Erle of Morton. He was committed to the custodie of a band of men of warre, in Robert Gourlay's hous. Few or none had accesse to him.[1]

[1] For the king's letter at this period to the presbyteries, for union and division of kirks, see Appendix, letter E.

THE ERLE OF MORTON CONVICTED OF TREASON.

Upon Thursday, the 1st of June, the citicens of Edinburgh were in their armes, upon the High Street. Two bands of men of warre were placed about the Croce, two above the Tolbuith. The first band waited upon the convoy of the Erle of Morton, from the loodging to the Tolbuith. Argile, Chief-Justice, Montrose, Sutherland, Rothesse, Glencarne, Ogilvie, Maxwell, Seton, Wemes, Wauchton, Dairsie, Lochinvar, the most part his knowne enemeis, were putt upon his assise. Manie points sould have been layed to his charge, but they understood that fourtie dayes leasure was to be granted to him to answere, because it was not thought fitt to delay. They slippe from all the rest, *pro tempore et loco*, except the foreknowledge and concealing of the king's father's murther. They were but forged, for the most part; or suche as no law could make him guiltie of death for them. The heeds, as they are found in Mr Johne Davidson's memorialls, follow:—

1. The conspiracie for taking of the queene, the king's father and goodshir, the 1st of Julie, 1565 yeeres.

2. His passing to England upon the 20th day of Marche 1565, soone after the slaughter of Seigneur Davie, and remaining there a long space, traffiquing in the meane time with the Queene of England, and other personages, against the queene, the king's father and goodshir.

3. Conspiracie preceeding the murther of the king's father, and concealing the same.

4. League made with the Erle Bothwell, to mainteane him, and to further him to the queen's mariage, which is to be verified by the principall band.

5. Receaving a pensioun out of England, and avowing himself as a subject to England, by assisting the Queene of England in all her causes against Scotland.

6. Traffiquing with Huntington, in hurt of our king's title to the crowne of England.

7. The abstracting of the king's casualteis.

8. The coining of halfe merke steekes, and fourtie pennie peeces, after he was denuded of the authoritie, the 8th of Marche 1577.

9. The passing of signatures after the said day.

10. The taking of the Castell of Stirline in Aprile, when he was in Lochlevin.

11. Traffiquing with forrane princes, speciallie the Queene of England, and States of Flanders, since he was denuded of his authoritie.

12. Intercommuning with Claud Hammilton in May 1579, at the seige of Hammiltoun.

13. Taking of the king in Stirline, in April 1580.

14. Conspiracie for taking of the king, and slaying of the Erle of Lennox, in Halyrudhous, in November and December last bypast, when his loodging was furnished with weapons.

15. Commandement to furnishe Dalkeith.

16. Conspiracie to tak the king, and slay Lennox, the first of Januar last, that is, the day after he was accused.

17. His meaning to break waird out of the Castell of Edinburgh, and when he was transported from Edinburgh to Dumbartane.

18. The bringing doun of English forces to the borders for his releefe.

19. The deliverie of his treasure and jewells to James Dowglas, his sonne naturall, to the maintenance of the king's rebels, and furnishing of the English forces.

They were charged to slippe from all thir points, by a letter frome the king, but the concealing of his father's murther. The Erle of Montrose, chanceller of the assise, pronounced the verdict in this sort. They had found him guiltie of art and part of concealing of the king's father's murther. Which, when the Erle of Morton heard, he repeated twise, "Art and part! art and part!" and then held his peace. It is reported that the assise did onlie convict him of concealing, finding no prooffe for art, and als little for part, in the murther. But becaus *concealing* was not a word of suche weight and sound, they joyned art and part of concealing;

where as the commoun forme is, where there is just mater, "art, part, and concealing." Montrose and Arran devised the other forme. One standing by swore they had stollin off his head with sophistrie. He would have excepted against the Lord Seton and the Laird of Wauchton, but prevailed not; yitt it is thought they did not much harme. He was condemned to be headed, quartered, and drawin. About six houres at night, he was convoyed backe to his loodging. Notwithstanding the doome, it was givin to his optioun, whether he would be content to be hanged or headed. He regared not, but was content of heading, as the doome was pronounced. He supped cheerfullie, and sleeped sound, till three houres in the morning. Then he wrote three or foure houres, and lay doun againe. In the morning he sent the letters with some of the ministers to the king. The king would not looke upon them, nor tak heed what they said; but ranged up and doun the floore of his chamber, clanking with his finger and his thowme.

THE SUMME OF ALL THAT CONFERENCE WHICH WAS BETWIXT THE ERLE OF MORTON, JOHNE DURIE, AND MR WALTER BALCALQUALL, AND THE CHEEFE THINGS THAT THEY HEARD OF HIM, SO FARRE AS THEY COULD REMEMBER, THE DAY THAT THE SAID ERLE SUFFERED, WHICH WAS THE 2D OF JUNE.

The Erle of Morton's Confession.

First, Being exhorted, that he sould not be discouraged, in consideration of that estat wherinto once he had beene in this world, being in honour and glorie, and of the downcast wherunto now he was brought, but rather, that in consideration of the glorie to come, he sould rejoice and be of good confort, his answere was, "As concerning all the glorie I had in this world, I care not for it, becaus I am perswaded now that all the honours, riches, freinds, pleasures, and whatsomever I had in the world, is but vanitie. And as concerning the estate wherunto now I am brought, I thanke God for it; and am at this point, that I am content rather to rander my life than to live, becaus I know, that as God hath appointed a time for my death, so

hath he also appointed the maner therof. And, therefore, seing now is the time, and this is the maner, that best pleaseth my God to take me, I am content: and as for my life in this world, I care it not a pennie, in respect of that immortal and everlasting joy which I looke for, and wherof I am assured."

Secundlie, Being required what was his part or knowledge in the king's murther, he answered, with this attestatioun: "As I sall answere to my Lord God, I sall declare trulie all my knowledge in that mater. The summe wherof is this: First, after my returning out of England, when I was banished for Davie's slaughter, I came out of Wedderburne to Whittinghame, where the Erle Bothwell and I mett together; and in the yaird of Whittinghame, after long commouning, the Erle Bothwell proponed to me the purpose of the king's murther; requiring what would be my part therunto, seing it was the queene's minde that the king sould be tane away, becaus, as he said, she blamed the king more of Davie's slaughter than me. My answere to the Erle Bothwell at that time was this, that I would not in anie wise meddle with that mater; and that, for this caus, becaus that I am but newlie come out of a new trouble, wherof as yitt I am not ridde, being discharged to come neere the court by seven myles. And, therefore, I cannot enter myself in suche a new trouble again. After this answere, Mr Archibald Dowglas entered in conference with me, in that purpose, perswading me to agree to the Erle Bothwell. Last of all, the Erle Bothwell, yitt being in Whittinghame, earnestlie proponed the said mater to me again, perswading me therunto, becaus it was the queen's minde, and she would have it to be done. Unto this my answere was, I desired the Erle Bothwell to bring the queene's hand-writt unto me of that mater, for a warrant, and then I sould give him an answere; otherwise, I would not meddle therewith: the which warrant he never reported to me."

Then, being enquired, what would have beene his part, incace he had gottin the queen's warrant in that mater; would he, in respect therof, have meddled with suche a filthie murther as that? He answered, "If I had gottin the queen's hand-writt, and so

had knowne her minde, I was purposed to have banished my self again, and turned my backe upon Scotland, whill I had seene better." Then following furth the discourse of this mater, he said, "I being in Sanct Andrewes, to visite the Erle of Angus, a little before the murther, Mr Archibald Dowglas came to me there, both with writt and credit of the Erle of Bothwell, showing unto me that that purpose concerning the king's murther was to be done, and neere a point; and to require my concurrence and assistance thereto. My answere was to him, that I would give no answere to that purpose, seing I had not gottin the queen's warrant in writt, which was promised unto me. And, therefore, seing the Erle Bothwell never reported anie warrant from the queene, I medled never farther with it."

Then, being required, whether he gave Mr Archibald anie command to be there, in his name, he answered, "I never commanded him." Being enquired, if he gave him anie counsell to it, he answered, He never counselled him. Being enquired, if he counselled him in the contrare, he answered, "I counselled him not in the contrare." Then it was said to him, that it was a dangerous thing, that his servant and depender was to passe to suche a wicked purpose, and he knowing therof stayed him not, seing it would be compted his deid. He answered, that "Mr Archibald at that time was a depender upon the Erle Bothwell, making court for himself, rather than a depender of myne." After this, following furth the said discourse, he said, "Mr Archibald, then, (said he,) after the deid was done, shew unto me that he was at the deid doing, and came to the Kirk of Feilde yarde with the Erle Bothwell and Huntlie." Then, being inquired if he receaved in his companie Mr Archibald after the murther, answered, "I did indeid." Then it was said unto him, "Appearandlie, my lord, yee cannot justlie compleane of the sentence that is givin against you, seing that with your owne mouth yee confesse the foreknowledge and concealing of the king's murther, of which two points onlie yee sould not be able to abide the law." He answered, "I know that to be true, indeid. But yitt, they sould have considered the danger that the re-

veeling of it would have brought to me at that time; for I durst not have reveeled it for feare of my life. For at that time, whom to sould I have reveeled it? To the queene?—she was the doer therof. I was minded, indeid, to the king's father, but I durst not for my life; for I knew him to be suche a bairne, that there was nothing told him but he would reveele it to her again. And, therefore, I durst in no wise reveele it. And howbeit they have damned me of art and part, foreknowledge and concealing of the king's murther; yitt, as I sall answere to God, I never had art or part, aid or counsell, in that mater. I foreknew, indeid, and concealed, becaus I durst not reveele it to anie creature for my life." Being inquired, why he would not reveele it sensyne to the king's Majestie, he answered, He durst not for the same feare.

Then he said, "After the Erle Bothwell was clenged by an assise, sindrie of the nobilitie, and I also, subscrived a band with the Erle Bothwell, that if anie sould lay the king's murther to his charge, we sould assist him in the contrare. And, therefore, I subscrived to the queen's mariage with the Erle Bothwell, as sindrie others of the nobilitie did, being charged therunto by the queen's writt and command." Then being inquired, in the name of the living God, that, seing this murther of the king was one of the most filthie acts that ever was done in Scotland, and that the secreits therof as yitt have not been declared, nather yitt who were the cheefe deid-doers, whether he was wirried or blowne up in the aire; and, therefore, to declare, if he knew anie farther secreit therinto: He answered, "As I sall answere to God, I knew no more secreit in that mater than I have alreadie told, and heard by the depositions of suche as have alreadie suffered for it, which depositions are yitt extant." Being inquired, if he knew anie presentlie about the king, who were the doers of that work, by whose companie the king and commoun wealth might be hurt, he answered, "I know none, and will accuse none." Last of all, it was said to him concerning this purpose, that in respect of his owne depositioun, his part would be suspected to be more fowle nor he declared. He speared, For what reasoun? It was answered, "Becaus yee being

in authoritie, howbeit yee punished others for that murther, yee punished not Mr Archibald Dowglas, whom yee knew to be guiltie therof." He answered, "I punished him not, indeid, nather durst I, for the causes before shewed."

Thridlie, Being required of the Erle of Atholl's poysoning, and if he had anie art or part therof, he answered with a great attestatioun, saying, "Lett God never be mercifull to me, if ever I knew anie thing of that mater, or heard of it, before I heard the commoun brute of the countrie." And being demanded, if he knew that Mr Johne Provand brought home anie poysoun, he answered, "I knew nothing of Mr Johne Provand but honestie;" and said, "Fy! there is over muche filthinesse in Scotland alreadie: God forbid that that vile practice of poysoning sould enter in among us. I would not for the erledom of Atholl have ather ministred poyson to him, or caused it to be ministred to him; yea, if I had been an hundreth, and he his alone, I would not have stirred a hair of his head."

Fourthlie, Being inquired, if he made anie conspiracies against the Erle of Lennox, he answered, with the like attestations as of before, "I never thought in my heart, nor purposed anie conspiracie against the Erle of Lennox, nor minded ever to doe him hurt, in bodie or otherwise. But I was greeved, that by the moyen of the Erle of Lennox, who, as yitt, knew not the state of our countrie, nor perceaved the danger of the king's person, but being requested thereto by others, sindrie were brought home that were the king's enemeis, walterers[1] of his kingdom, and enemeis of religioun, which was an appearand danger to his person and realme; which I hoped by counsell to have helped, when the Erle of Lennox' familiaritie and myne sould have beene greater."

Fyftlie, Being inquired, whether he had anie traffiquing with England, for transporting the king or otherwise; or if he had anie pensioun of the Queen of England for that effect, he answered, "As I sall answere to God, under the paine of condemnatioun or salvatioun, I never had traffiquing with England that way. There was never

[1] Subverters.

one in Scotland or England, nather the queene, nor anie in her name, that ever meaned suche a thing to me, directlie or indirectlie, as to transport or putt the king in England, except it had beene for his profite and honour, and that he had beene crowned King of England. Then I would have riddin with him, to have debated his right, according to my power. And for the more cleere purgatioun of myself in this mater, I will say this: If ever I meant, directlie or indirectlie, hurt to the king, my master, but meaned alwise his weill, let God never be mercifull to me; and I sall never aske God mercie for anie thought that ever entered in my heart against the king; yea, there was nothing I regarded more in this life, than that he sould be brought up in vertue and godlinesse. And I will say more: If I had beene als carefull to serve my God, and walke in his feare, as I was to see the king's weale, I had not beene brought to this point that I am at this day. And where as they say that I was the Queen of England's pensioner, as I sall answere to God, I had never pensioun of the Queen of England in my life. And albeit they caus the brute to goe that I sould have furnished the Queen of England's souldiours, now last upon the borders, I never knew nor heard of it. And, last of all, where they alledge, that I sould have beene a traffiquer with England, I praise God I had never traffiquing with them, but for the weale of the king, his countrie, and subjects. Indeid, a yeere since, the Queen of England wrote to me a letter, the summe wherof was this: that she was informed, that sindrie Papists and enemeis to the king were familiar with him, and come in credit, which could not be without his hurt, hurt to religioun, and estat of both the realmes; and, therefore, desired my counsell how it might be remedied. Unto this I sent her an answere, the summe wherof was this: I besought her Majestie, that she would not burthein me with suche a thing, for I would no wise meddle in that mater: She would not be content that anie of her subjects sould meddle with anie forraine prince, for the conformation of her affaires. After this answere I receaved a letter from Mr Bowes, howbeit not subscrived by the Queene of England, yitt, as I understand, sent by her moyen, and

dyted by her secretar, Walsinghame, wherin was declared, that by this purpose was nothing meant ather to my hurt or to the hurt of the king, the realme, both the realmes, and subjects therof, and speciallie of the religioun. But I wrote no answere again, nor would meddle farther in that mater."

Sixtlie, Being demanded what was his part of the interprise of the Castell of Stirline, he answered, "As I sall answere to God, I knew nothing of it whill it was done. But being in Lothian, I receaved advertisement out of the Castell of Stirline, and a writting from the king, that I sould come there. And where as they say that I minded to keepe the king captive there, I never minded to keepe him in captivitie there, or in anie other place. But I understood by the king's owne speeking, that he was als free at that time as ever he was before, or desired to be for the present; and if that I had understood that his Grace would have gone to anie other place, where greater libertie had beene, I would have gone with him."

Seventhlie, It being layed to his charge that he was a great hinderer of the maters of the kirk, and authorizer of bishops and other corruptions, where he might have done muche good for the furtherance of God's glorie, and advancement of his Evangell, both in the time of his governement and sensyne, his answere was, "As concerning religioun and doctrine, as it is now preached and professed in Scotland, I ever meanned alwayes weill in my heart to it; and acknowledge it to be the verie truthe of God, in so muche, that rather ere anie hurt had come to religioun, I would have beene content to have waired my life, lands, and goods, in defence of it, lyke as now I am content to dee in the constant professioun therof. But indeid, as concerning some things which then were in questioun betuixt me and the kirk, I did therin according to my knowledge, and followed that opinioun that I thought to be best at that time, in consideratioun of the estat of all things as they were. And, therefore, howbeit I will not stand in defence of these things which then I did, yitt I will make this protestatioun, that as I sall answere to God, I did nothing in these maters ather of contempt, malice,

or otherwise: but if there was anie thing done amisse, it was of ignorance, and for laike of better knowledge; and if I had knowne better, I would have done otherwise, and was now purposed, at last, to have helped them so farre as I might."

Eightlie, Being desired, in the name of God, not to stand in defence of his owne innocencie, but plainlie to confesse his sinnes, to God's glorie; and to thinke, how ever it be that man hath done in this mater, yitt God had alwise done justlie, and that he was to suffer nothing but that wherof, before God, he was worthie and more; his answere was, "How ever it be that men have done, I remitt them to God and their owne conscience. But I acknowledge, indeid, that God hath alwise done justlie unto me, and not onlie justlie, but mercifullie also, becaus I acknowledge my self, of all sinners, to have beene one of the greatest; a filthie abuser of my bodie in the pleasures of the flesh, givin over muche to the world and pleasures therof, and suche other sinnes as God might justlie lay to my charge; and that I expressed not the fruicts of my professioun in my life and conversatioun. And, therefore, I beseeke God to be mercifull to me. And, indeid, now I acknowledge the great mercie of God in this, that among all the benefites he hath bestowed upon me, this is one of the cheefe; that in this my last trouble, he hath givin me space and leasure to repent my sinnes, and to be at a point with my God. In which trouble also I have found greater confort than ever I could have found before, becaus therinto I had concluded with my self, that if God sould have spaired my life, and delivered me out of this trouble, that then I sould have cast away all the cares of the world, the pleasure of the same, and delyte of all earthlie things, and dedicat my self heerafter to serve my God, in all kinde of quietnesse and simplicitie. And if it sould please God to take me in this trouble, I had concluded to be content therewith also, being alwayes assured of the merceis of God. And, therefore, now I thanke God, that now I find me at this point, that I am rather content to dee than live, and that I sall not see the misereis to come; for I will assure you that I thinke this to be the most acceptable time that ever God

could have tane me. For I perceave and foresee suche misereis and confusiouns to ensue, that I thanke God I sall not see them; and yee who feare God, and live behind me, when as yee sall see these things, yee sall wishe of God to be where I sall be, that is, with Him."

Nynthlie, Being demanded what he thought of the forme of judgement used against him, and what was his opinioun therinto; whether he thought anie wrong was done to him or not, and exhorted not to blame men without caus, he answered, "I would be verie loath to find fault, or blame the noble gentlemen that have tane upon their consciences to condemne me; but I remitt them to God and their owne consciences. Yitt I am moved to speeke somewhat freelie in this mater, and it is this: I saw so partiall dealing against me, that it had beene all alike to me, if I had beene als innocent as Sanct Stevin, as if I had beene als guiltie as Judas. For I perceaved plainlie that there was nothing but my life sought, howsoever it had beene, which appeared in this, that no exceptioun against anie persoun that was to passe upon myne assise could availl. For I required the Erle of Argile to purge himself of partiall counsell givin to the persuer, my accuser. He purged himself, indeid; but I know the contrare, that he gave partiall counsell to him. Likewise, the Laird of Wauchton, the Lord Seton, and suche others who were knowne to be my enemeis, notwithstanding anie lawfull exceptioun, were putt upon my assise. In consideratioun wherof, I can not be perswaded of a thing which it behoveth me to communicat to you, and it is this: I perceave it is not my life onlie that they are seeking; but they who are the authors of my death had some other purpose in hand, which they perceaved could not goodlie be done, except I, and suche others who favour the good caus, were tane out of the way. And, therefore, I cannot but suspect that I have beene so handled, and suche as heerafter sall be putt at, that they may have a more patent way to doe their turne; and I pray God that yee that are to live behind me see not the practise therof. But I feare it sore. And, therefore, in respect of this appearand danger of the commoun caus, I will give my counsell to the king, my master, and wish you, in the name of God, to

beare it to him. The summe wherof is this: I perceave, that they who have beene the king's unfreinds, enemeis to his crown and commoun caus, are brought in credit and in court; and they who have beene mainteaners of his crown, and good freinds, discredited and mislyked of. And siclyke, suche as are knowne to be Papists, and suspected to be enemeis to religioun, are over familiar, and in over great credit with his Majestie; which appearandlie can not be without great danger to religioun, and hurt to his estat. And, therefore, I admonishe him, in the name of God, to beware with them, and putt remeed thereto; and as he hath beene broght up in the feare of God, and companie of good men, to continue therin, and not to goe backe, or ellis he hath done with it for ever. For I tell you what moveth me to speeke this: the estat of religioun, in this countrie, appeared never to be in suche danger; and that for this caus. I heare say, that there is a dealing and present traffiquing betwixt France and England, and Monsieur's mariage with the queen is heavilie to be feared. If France and England band together, and that mariage goe fordward, yee may easilie understand, that the one of them will perswade the other to their religioun. The Monsieur darre not change his religioun, if he ettle to the crown of France. And, therefore, yee must be assured he will labour to perswade the other to his religioun, and to bring Papistrie in England, which is over easie to be done, the two parts of England being Papists. If England and France band together, and both be Papists, we are left our alone: we have no league with England. And, therefore, I know what we will doe; to witt, we will cleave to the old league with France. And to band with France as France is now, and France and England being one, judge yee, in what cace sall the religioun be with us. God give the king and nobilitie wisdome to foresee the danger in time!"

Tenthlie, Being required to give his good counsell to the Erle of Angus, and to show him what was meetest to be done, seing presentlie he was in great trouble, he answered, "Truelie I darre give him no counsell. The Lord help him; for, truelie, I darre give him no counsell; and I will tell you why: to bid him come in pre-

sentlie I darre not. All men may see in what danger he is, as things goe now, if he come in. And to counsell him to bide furth I darre not; for then he sall lose the king's favour for ever. He sall tyne himself, his heritage, his whole freinds, and all. And, therefore, the best counsell I can give him is this: that he make all moyen possible to purchasse the king my master's favour again, and to see if he may have anie assurance of his life, that he may serve his God and the king truelie, and submitt himself, and all that he hath, to his Majestie's good will: for, poore man! he hath done nothing yitt but it may be mended. I say no more; but the Lord give him his Spirit, to follow that which is best."

Ellevintlie, Being required to declare what was the summe of that admonition that Johne Knox gave him before he accepted the regiment, when he came to him a little before his departure; he answered, "I sall tell you so farre as I can remember. First of all, he speared if I knew anie thing of the king's murther? I answered, Indeid I knew nothing of it. Then he said to me, 'Weill, God hath beautified you with manie benefites, which he hath not givin to everie man as he hath givin you; riches, wisdome, and freinds; and now, is to preferre you to the governement of this realme. And, therefore, in the name of God, I charge you to use all thir benefites aright, and better in times to come than yee have done in tymes bypast, first, to God's glorie, to the furtherance of the Evangell, to the maintenance of the Kirk of God, and his ministrie; nixt, for the weale of the king his realme and true subjects. If so yee sall doe, God sall blesse you, and honour you. But if yee doe it not, God sall spoile you of thir benefites, and your end sall be ignominie and shame.'" Then being enquired if he had found this true, he answered, "I have found it, indeid; yitt, I doubt not but the Lord will be mercifull to me."

Then being inquired for what caus he held some of the nighbours of Edinburgh in waird, he answered, "Surelie I meant no evill to these men. But it was done upon this respect: we had the mater of the bulyeon then in hand. I was informed that they were the hinderers therof. I thought it best, at that time, to putt them in

waird for a while, till that turne had beene done; and if I did them anie wrong, I crave them forgivenesse, as I forgive all men."

Being inquired, if he knew that he would be accused of this mater before, he answered, "I was advertised of it indeid, and might have escaped; but I would not, leaning alwise upon my innocencie, and not supposing that they would have condemned me upon suche a thing."

Then, after this, he and we called to God together, by earnest prayer; during the which prayer he shew most evident tokins of the inward motioun of the Spirit of God. The prayer being ended, he sayeth to us, "I thank you heartilie for your confort which yee have offered unto me; for now, indeid, is greatest mister of confort: and, therefore, as yee have begunne, I beseeche you to continue with me. And, now, after I am come to the knowledge of my owne sinnes, there rest onlie two things that I will crave of you: that is, first, That yee will shew to me all kinde of arguments whereby I may be conforted, and hold me sure upon the merceis of God; and, nixt, Seing the flesh is but fearefull and weake, that yee will confort me against the naturall feare of death." Which desire we travelled to satisfie, by long conference, which were long to rehearse in everie point. Yitt the summe of it was this: it was said to him, that there were three things cheefelie, which might make him to be assured of the mercie of God in Christ. First, The innumerable and confortable promises of God's mercies conteaned in his Word, wherupon it behoved him alwayes to leane; wherof there were some cited unto him. Secundlie, The exemple of God's merceis toward his owne servants, howbeit they had beene great sinners, as appeareth in David, Magdalene, Peter, the theefe, &c. Thridlie, The oft experience of God's mercie, which frome time to time he had found in his owne person, ought to assure him now, also, of this mercie in the end. Unto this he answered, saying, "I know all that to be true: for since I past to Dumbartan, I have read all the Five Bookes of Moses, Josuah, the Judges, and now I am in Samwell; and I will tell you what I have found there. I see there that the merceis of God are wonderfull, and he alwayes inclynned to have

pitie upon his owne people of Israel. For there, it appeareth, that howbeit he punished the people of Israel when they sinned, yitt, how soone they turned to him again He was mercifull to them. And when they sinned again, yitt He punished them; and so oft as they repented He was mercifull again. And, therefore, I am assured, howbeit I have oft offended against my Lord God, yitt he will be mercifull to me also." Farther, in this point, it was said to him, that incase Satan would travell to discourage him, in consideration of the justice of God on the one part, and of his sinnes on the other part, we exhorted him, by the contrare, to be of good courage; and even, in respect of the justice of God, to be assured that his sinnes sould not be layed to his charge, and that becaus God was just. For the justice of God will not suffer him to tak twise payment for one thing; as we know that in the commoun dealing of men, he that is a just man will not crave payment of that wherof he hath beene alreadie satisfied. And, therefore, seing Christ hath alreadie satisfied for our sinnes, and payed God for the utmost farding he could crave of us, he can not lay our sinnes unto our charge, being satisfied in Christ, becaus that his justice will not suffer him to take payment twise for one thing. Unto this he answered, "Truelie, that is verie good."

As concerning the naturall feare of death, we exhorted him to be alwayes occupied upon the consideratioun of the glorie of God, the joy and felicitie of the life that is to come; and that sould be the onlie way to swallow up the feare of his naturall death. He answered, "I praise God I do so."

All this being done, having in his hand a prettie treatise of the Meditatioun of Death, writtin by Mr Bradfurd,[1] (which, he said, he had gottin from the Ladie Ormiston, before he past in waird; and, therefore, before his passing furth, gave it to Mr James Lowsone, desiring him to deliver it to the said ladie again:) having this booke in his hand, he willed Mr Walter to read to him a peece therof, which he did. In reading wherof, with sindrie conferences

[1] John Bradford, the English Reformer and Martyr. This small treatise is published among his Meditations on various religious subjects.

upon the thing which was read, both he and we gott great confort, in so muche, as he said, "I praise God, I heare now with other eares than I heard before."

With this, being called to his disjoone, he desired us earnestlie to tak part with him; as we did. He eate his disjoone with great cheerefulnesse, as all the companie saw, and as appeared in his speeking. "Now," sayeth he, "I see there is a great difference betuixt a man that is occupied with the caires of the world, and him that is free therof: and this I have found, in two nights' rest going before. For in the night before my accusation, I could gett no rest for care, becaus I knew I was to be accused the morne. And, therefore, being solicite to answere to everie point that sould be layed to my charge, I could not sleepe. But this night, after I was condemned, I knew that I sould dee. I was at a point with myself, and had no thought of the world, nor care of this life, but cast my onlie care upon God; and I praise God I never sleeped better in my lifetime nor I did this night." And (he) said to William Stewart, "William, yee can beare me record of this." Who answered, "It is true, my lord." Then Mr Walter said to him, "My lord, I will drinke to you, upon a conditioun." He answered, "What conditioun?" "Upon this condition, my lord, that yee and I sall drink together in the kingdom of heaven, of that immortall drinke, that sall never suffer us to thrist again." He answered, "Truelie, I pledge you, Mr Walter, upon the same conditioun." And after he had receaved the cuppe, he said to Johne Durie, "Johne, I drinke to you upon the same conditioun." Who answered, "I pledge you, my lord; and I am assured it sall be so." The disjoone being ended, and thanks being givin to God, he passeth to his chamber again; at what time Mr James Lowsone came to him again, with whom he confered the substance of all thir things again, after that we departed from him.

Then, after noone we came to him again, with sindrie of the brethrein of the ministrie, as Mr James Lowsone, Mr Robert Pont, David Fergusone, Mr David Lindsey, Johne Brand, Mr James Carmichael, and Mr Johne Davidsone; whom he receaved verie

lovinglie in his armes, and said to him, " Yee wrote a little booke, indeid; but truelie I meant never evill towards you, in my pairt: forgive yee me, and I forgive you." At which speeking, the said Mr Johne was moved with teares, all thir brethrein being present. To their great confort he repeated again the cheefe substance of all these things wherof he spake before, being demanded, point by point; as their testificatioun of this mater, subscrived by them at more lenth, will declare.

Therafter he was called to his dinner. But being at his dinner, seing that the brethrein of the ministrie were informed that there was wrong report made of his confessioun to the king, and that he sould have confessed muche otherwise than he did, whereby the king might have had a worse opinioun of him, they thought good to send doun some before his suffering, to informe his Majestie of the truthe of his confessioun; as namelie, David Fergusone, Johne Durie, and Johne Brand, who, before his death, at lenth, told the whole simple truthe of his confessioun, as it was, to the king's Majestie. At their returning again from the Abbey, his keeper required him that he sould come furth to the scaffold. He answered, " Seing they have troubled me over muche this day with worldlie things, I supposed they sould have givin me this one night, to have advised rypelie with my God." His keeper said, " All things are readie now, my lord, and I thinke they will not stay." He answered, " I am readie also, I praise my God." And so, a confortable prayer being made, he passeth doun to the gate, to goe directlie to the scaffold. But the Erle of Arran stayed him, and broght him backe again to the chamber, and required of him, that he sould tarie till his confession might have beene putt in writt and subscrived with his owne hand, and the ministers that were present. He answered, " Nay, my lord; I pray you trouble me no more with these things, for now I have another thing to advise upon, that is, to prepare me for my God; seing now I am at a point to goe to death, I cannot write in the estat that I now am in. All thir honest men can testifie what I have spokin in that mater." With which answere the Erle of Arran being satisfied, he said unto

him, "Now, my lord, yee will be reconciled with me, for I have done nothing upon my particular against you." He answered, "It is no time now to remember upon querells. I have no querell to you, or anie other; I forgive you and all other, as I will all to forgive me." And so therafter, with good courage, he past to the scaffold. Being upon the scaffold he repeated, in few words, the substance of these things which before he had confessed, except he concealed Mr Archibald Dowglas' name, and eeked some words and exhortations upon the scaffold to the people, which he spake not before; as, namelie, he said, "I am sure the king sall losse a good servant this day." And so he exhorted the people, saying, "I testifie, before God, that as I have professed the Evangell which this day is taught and professed in Scotland, so also now willinglie I lay doun my life in the professioun therof. And howbeit I have not walked according therunto as I ought, yitt I am assured God will be mercifull to me; and I pray all good Christians to pray for me. And I charge you all, in the name of God, that are professors of the Evangell, that yee continue in the true professioun, and mainteane it to your power, as I sould have done, God willing, with my lands, life, and all, if I had had dayes. Which if yee do, I assure you, God sall be mercifull to you. But if yee doe it not, be assured the vengeance of God sall light upon you, both in bodie and soule." As concerning all the rest of the things wherof he spake confortablie upon the scaffold, he spake them in effect, and more amplie before; and, therefore, we thinke it not needfull to repeat them again.

Therefore, all his speeches being ended upon the scaffold, a confortable prayer was made by Mr James Lowsone, during the time of which prayer the Erle of Morton lay on growffe[1] upon his face, before the place of executioun, his bodie making great rebounding with sighes and sobs, which are evident signes of the inward and mightie working of the Spirit of God; as they who were present, and knew what it was to be earnestlie moved in prayer, might easilie perceave. The prayer being ended, and after that sindrie came to him before his death, to be reconciled with him, whom

[1] Lying with the face on the ground.

most lovinglie he receaved: And, after he had takin us all by the hands that were about him, and bidden us fareweill in the Lord, he passeth both constantlie, patientlie, and humblie, without feare of death, to the place of executioun, and laid his craig under the axe, his hands being unbound. And therafter, Mr Walter putting him alwise in minde, and crying in his eare thir words following, he cried continuallie, till his head was stricken off, "Lord Jesus, receave my soule! In thy hands, Lord, I committ my spirit! Lord Jesus, receave my soule!"—which words he was speeking, even whill the axe fell on his necke. And so, what ever he had beene before, he constantlie died the true servant of God. And how ever it be that his unfreinds alledge, that as he lived proudlie, so he died proudlie, the charitable servants of God could perceave nothing in him but all kinde of humilitie in his death, in so muche, that we are assured that his soule is receaved in the joy and glorie of the heavens; and we pray God, that they who are behind may learne, by his exemple, to dee in the true feare of the Lord.—2d June, *Anno Domini* 1581.

THE EXECUTION OF THE ERLE OF MORTON.

He was executed about foure houres after noone, upon Fryday the secund of June. Phairnihirst stood in a shott over against the scaffold, with his large ruffes, delyting in this spectacle. The Lord Seton and his two sonnes stood in a staire, south-east from the Croce. His bodie lay upon the scaffold till eight houres at even, and therafter was caried to the Neather Tolbuith, where it was watched. His head was sett upon a prick, on the highest stone of the gavell of the Tolbuith, toward the publict street. So ended this nobleman, one of the cheefe instruments of the reformatioun of religioun; a defender of the same, and of the king in his minoritie, for the which he is now unthankfullie dealt with. We may see how absurd it is to committ the raines of governement to the hands of a childe, who cannot governe himself. In the time of his governement he sett on foot a notable work, which had beene per-

fyted if he had continued regent, to witt, the drawing of our lawes in some certan and easie forme. It was committed to Sir James Balfour and Mr Johne Skeene.

ANGUS FLEETH TO ENGLAND.

The Erle of Angus departed from Hawick the same day to Carlill, fearing to be apprehended by these who had procured his uncle's death, supposing they would seeke to secure themselves from revenge by taking of him. From Carlill he went to court; was lovinglie receaved, and honourablie interteaned by Queen Elizabeth, in memorie of his uncle.

PHAIRNIHIRST PARDOUNED.

Upon Wednisday the 12th of Julie, the king being in Dalkeith, the Laird of Phairnihirst, by the Erle of Lennox his mediatioun, gott presence in the gardin, after supper; where, sitting doun upon his knees, he craved pardoun for his offences; which was granted. Heere we may see there was no sincere dealing against Morton, in that Phairnihirst, guiltie of more than foreknowledge and concealing both of the king's father and his goodshir's slaughter, was spaired and receaved in credit.

LENNOX ADVANCED.

Upon Moonday the eight of August, the Erle of Lennox was proclamed solemnlie Duke of Lennox, Lord Darnlie, Lord Torbowton, Dalkeith, and Tantallan, Great Chamberlane of Scotland, Commendatare of Arbrothe.

THE FORTIE-THRID GENERALL ASSEMBLIE.

The Generall Assemblie conveened at Edinburgh the 17th day of October. Mr Johne Craig was chosin Moderator. Mr James

Lowsone, Mr Robert Pont, Mr Andrew Hay, Mr Andrew Melvill, Mr David Lindsey, Mr Thomas Smeton, Mr Alexander Arbuthnet, Mr Andrew Polwart, and David Fergusone, were chosin to be assessors to the moderator, to prepare maters to be treatted in the Assemblie.

The Assemblie sent their brethrein, Mr Adam Johnston and Johne Durie, to passe to the king's Majestie, and, in name of the Assemblie, humblie desire his Hienesse to direct some commissioner from his Grace to observe the proceedings of the Assemblie, and to stay with them. They reported this answere: His Majestie said, that, for sindrie effaires of the counsell, he could direct none till Thursday.

MR R. MONTGOMRIE ACCUSED.

Mr Walter Lindsey presented to the Assemblie the king's missive, writtin in favours of Mr Robert Montgomrie, minister at Stirline. Mr Robert was prefered to the bishoprick of Glasgow, now latelie vacand through the death of Mr James Boyd, who departed this life in Junie last. The Duke of Lennox gott the gift of the bishoprick, and presented Mr Robert. The brethrein of the Presbyterie of Glasgow were charged by Mr George Young, in the king's name, to give their resolut answere concerning the admission of Mr Robert, the day after the presenting of the king's missive. The Assemblie directed their brethrein, Mr James Lowsone, Mr David Lindsey, Johne Durie, to his Grace, to lett his Grace understand that the Assemblie, conforme to his Grace's missive, hath stayed proceeding against Mr Robert Montgomrie till Fryday, that conference may be had in that mater, as is desired; and hath appointed Mr Robert Pont, Mr Thomas Smeton, Mr James Lowsone, Mr Andrew Melvil, and Mr Alexander Arbuthnet, to conferre therupon; and requested that his Grace would use no proceeding or charges against the brethrein of Glasgow, seing all the brethrein of this Assemblie take the charge upon them, and avow their proceedings. In the meane time, the moderator, in name of

the Assemblie, charged Mr Robert not to depart whill the Assemblie were dissolved, and continued his summouns till Fryday. The brethrein reported answere, in the fyft sessioun, that his Grace had appointed certane commissioners to conferre with these who were appointed by the ministrie. They were sent furth, and, after certan houres, returned, and repeated the conference they had with the king's commissioners; to witt, the scope of all was: it was required, in cace the Assemblie damned the office of bishops, wherunto is annexed also a temporall jurisdiction, wherin the king is served, by voting in parliament, assisting in his counsell, contributing in taxations, and suche like, what overture they will shew whereby the king be not prejudged,[1] by taking away of that estat. For advising upon this heed, which the Assemblie thought of great consequence, they nominated their brethrein, Andrew Ker of Fadownside, the Laird of Coldingknowes, the Laird of Carden, the Lairds of Colluthie, Braid, Morphie, Fentrie, Dalmahoy, Cowhill, Carleton, Segy, the Provests of Edinburgh and Stirline, the Commissioners of Edinburgh, Stirline, Perth, Mr Andrew Hay, Mr Andrew Polwart, Mr Johne Porterfeild, Mr William Rynd, David Fergusone, Mr Johne Rutherfurde, Mr David Lindsey, Mr William Edmiston, with the six brethrein appointed on the conference, to conveene in the New Kirk, at two after noone, to deliberat upon this mater, and to report their judgement to the full Assemblie. They reported, in the sixt sessioun, this overture, that, after long reasouning, they had agreed thus farre, that for voting in parliament, assisting in counsell, commissioners from the Generall Assemblie sould supplee the place of bishops; and as to the exercing of civill and criminall jurisdictioun, the head bailliffes sould exerce the samine. The Assemblie allowed their judgement. In the seventh sessioun, the moderator charged Mr Robert Mongomrie not to depart from the Assemblie till his mater were tryed; which he promised faithfullie to doe. In the tenth sessioun, the offences layed *verbo* to Mr Robert Montgomrie his charge, and answeres

[1] Prejudiced.

heard, the Assemblie ordeanned the said Mr Robert to tak the copie therof, and answere in writt, upon Tuisday, before noone.

The tenor of the accusation followeth :—

1. That, publictlie preaching in the kirk of Stirline, he proponed the question tuiching the circumcision of weomen; and, in the end, concluded that they were circumcised in the foreskinne of their forehead.

2. In Glasgow he openlie taught that the discipline of the kirk is a thing indifferent, and may stand this way or that way.

3. Approving the inward calling to the ministrie, he left the outward and ordinarie calling in doubt.

4. He accused the ministers, that they used fallacious arguments, and captious; and that they were curious braines.

5. He went about, so farre as he could, to bring the originall languages, Greek and Hebrew, in contempt; abusing thereto the words of the Apostle, 1 Cor. xiv., and tantinglie asking, in what schoole were Peter and Paul graduated?

6. To prove the corrupt estat of bishops in our time, he brought furth the exemples of Ambrose, Augustin, &c.

7. It is sufficient to baptize in the name of the Father onlie, or in the name of the Sonne, or the name of the Holie Ghost, becaus they are all alone God; and, to that effect, alledged the 19th of the Acts.

8. The maters of discipline and lawfull calling in the kirk he called triffles of policie.

9. He accused the ministrie of sedition and lese majestie, exhorting them not to be seditious, nor to meddle with high maters; to leave off to putt on crowns, and off crowns; for if they meddle therewith anie farther, they would be reproved.

10. He condemned the applicatioun of Scripture to the particular maners and corruptions of men, mockinglie asking, in what scripture they may find a bishop for a thousand punds, hors, corne, and poultrie? and when they teache of love, how could they find Judas?

11. He oppugned the doctrine of Christ, who pronounceth that the most part are rebellious, and perish.

12. He denied that in the New Testament anie mentioun is made of the presbyterie or eldership.

13. He accused the ministers of pasquills, of grudging and murmuring, of trouble and confusion, of leing and backe-bytting, saying, "Where is it? who will doe it? What fault can they find with the court? As for my self, I find none."

14. The kirk being traduced by pasquills and infamous libells, not onlie purged he not the kirk or himself therof, having good occasioun, but rather approved the same.

15. He used, in his preaching against the ministrie, the verie words of the libell cast in the king's chamber against them.

16. This quarter of yeere bygane he hath beene negligent in doctrine, discipline, and assistance of the eldership.

The brethrein appointed to insist in the conference returned with answere, in the twelve sessioun, that certan of the king's counsell were ordeaned to conferre the morne, tuiching the bishops. As to the forming of the articles, desired that the brethrein sould penne the same, and shew them to the said commissioners; requiring farther, concerning Mr Robert Montgomrie, that the Assemblie sould not proceed against him till the conference were ended. The Assemblie ordeanned the brethrein nominated before, together with Mr David Lindsey, Johne Duncansone, and William Christesone, to await upon this conference, and to conceave in writt the articles which are to be presented to the said commissioners, that the Assemblie may first judge of them. In this sessioun, the Assemblie, at the king's requeist, superseeded their processe against Mr Robert Montgomrie till Wednisday, and, in the meane time, ordeanned their brethrein, Johne Duncansone and Johne Brand, to crave the king's Majestie, that as the Assemblie had delayed their proceedings, so his Grace would superseed anie farther proceeding with Mr Robert, concerning the bishoprick. The brethrein directed to the king's Majestie and counsell reported, in the sixteenth sessioun, that by reason of the

great effaires of the king and counsell, they could gett no answere to suche things as they were directed for. In this sessioun two brethrein were appointed to warne Mr Robert Montgomrie to be present the day following, after noone.

The Commissioner of Stirline desired, in the seventeenth sessioun, the Assemblie to provide a minister for Stirline. Two were directed to Mr Robert, to crave his answere in writt, if he will remaine minister of Stirline or not; and to compeere before the Assemblie, if he may, presentlie. They reported, when they returned, he was lying in his bed, as he alledged, sicke, and if the Commissioner of Stirline would come to him he sall give them answere. As to the answere of the Assemblie in writt, answered, He receaved no ordinance in writt. The same brethrein were directed immediatelie, with an ordinance in writt, to charge him absolutelie to answere, under the paine of disobedience. They returned with answere, and reported, in the eighteenth (session of) Assemblie, that he answered, If it pleased the Assemblie, he was content to leave it, with their good will, and consent of his flocke. They presented also a sermon preached by him, as an answere, in effect, to all the accusations givin in by Mr Andrew Melvill against him. The Assemblie answered to the first point, they would give him no licence to leave the kirk of Stirline; and commanded him to remaine with his flocke there, whill he be removed by the Generall Assemblie, under paine of the censures of the kirk. As to the secund, the Assemblie admitted Mr Andrew Melvill to probatioun, and ordeanned the officer of the kirk to warne Mr Robert to compeere the day following in the Assemblie, to heare witnesses and probatioun.

The day following, James Chisholme, the king's maister (of) houshold, compeered in the Assemblie, and in his Hienesse' name desired the Assemblie to continue all farther proceedings against Mr Robert Montgomrie, till three or foure of that number conferred with the counsell, at what time the Assemblie sould think good; not that it was his Majestie's will to stay anie good order, but that it might be done with their favour and good will. The

Assemblie directed five brethrein of the ministrie to his Majestie, with this answere, that the Assemblie condescendeth to delay proceeding against Mr Robert, upon these conditions following: to witt, that Mr Robert Montgomrie sould no wise attempt further concerning the acceptatioun of the bishoprick of Glasgow; that his Majestie will not use farther processe against anie of the brethrein for his admissioun; and, last, that the libertie of the kirk be not prejudged, but that the judgement of his caus perteane to them. Farther, if conference sall be required, to reasoun and conferre heeranent, and to report again to the Assemblie. The brethrein reported, in the twentie sessioun, this answere, that his Majestie had receaved the articles of accusatioun givin in against Mr Robert Montgomrie verie graciouslie, and was content they proceed against him as minister. Farther, that in the heeds of religioun, he agreed from his heart with the Kirk of Scotland, albeit in some heeds of policie he was not yitt resolved. As for the provisioun of the ministrie, he sould hold hand thereto. Mr Andrew Polwart reported, that he had summouned Mr Robert at his loodging, where he left a copie of the summouns, becaus he could not apprehend him personallie; and sought him in the Abbey, and could not apprehend him.

In the last sessioun, the Generall Assemblie giveth full power and commissioun to their brethrein of the Presbyterie of Stirline to summoun Mr Robert Montgomerie, minister therof, before them; and to trie and examine his life and conversation, and accusatiouns to be givin in theranent, with all good and possible diligence, and what they find therin, to report to the Synodall Assemblie of Lothian nixt, to whom the Assemblie giveth power to proceed against him, according to the triell and processe deduced before the said presbyterie, under the paine of disobedience. And siclyke, charges the said Mr Robert to continue in the ministrie of the kirk of Stirline, and not to meddle with anie other office or functioun in the kirk, namelie, in aspiring or attempting to the bishoprick of Glasgow, against the Word of God and acts of the kirk, or to trouble or vexe his brethrein with his admissioun there-

to, under the paine of excommunicatioun to be led against him; wherinto, if he disobey, after triell taikin of his disobedience by the said presbyterie, the sentence of excommunicatioun to be executed by them, with advice and concurrence of Johne Durie, David Fergusone, Johne Duncansone, and Johne Dykes. And this charge to be intimated by the Moderator of the Assemblie unto the said Mr Robert, that he pretend no ignorance therof.

MR W. BALCALQUALL COMPLEANED UPON BY THE KING.

James Melvill, gentleman of the king's chamber, presented his Hienesse' missive in the seventh sessioun, which craved triell to be takin of certan words alledged spokin by Mr Walter Balcalquall, in his sermoun latelie against his cousin, Esme Duke of Lennox, with credit to the bearer. The bearer reported, that becaus, at the last calling of Johne Durie and Mr Walter before the Privie Counsell, upon accompt of their sermons, offence was takin by the ministrie, therefore, his Grace meaned the mater to the Assemblie, willing them to trie the mater, and to tak order. The words wherat the duke was offended were these, that Mr Walter had said in pulpit, that within these foure yeeres Poprie had entered in the countrie, not onlie in the court, but in the king's hall, and was mainteanned by the tyrannie of a great champioun, who is called Grace; and if his Grace would oppone himself to God's Word, he sould have little grace.

Mr Walter craved licence to answere; the summe wherof was shortlie this: First, He praised God, that he was not accused of anie thing wherin, ather civillie or criminallie, in his life and conversatioun, he had offended the king's Majestie or his lawes, wherunto, with all reverence, and at all times, he is readie to submitt himself, as effeirs; but is accused of these things which he hath spokin publictlie in the pulpit, wherin he hath beene more plaine in reproving of vice, than some men can goodlie suffer; which is a point of his doctrine, which howbeit he heareth there called open slander, yitt he must justifie the same: That although all the

kings in the earth would call it erroneous, yitt he is readie heere by good reasoun to prove it to be the verie truthe of God; and, if need require, to seale it with his blood. Secundlie, He praised God, that upon the last accusatioun, God hath givin this muche victorie to His kirk, that howbeit then it was called in questioun to whom the judgement of his doctrine sould apperteane, yitt, as then, by good reason it was concluded and promised by the king's Majestie's counsell, and commissioners appointed to conferre with the ministers in that mater, that in all times comming the triell of the ministers' doctrine sould be referred to the judgement of the Assemblie, as the onlie competent judge, so now it is performed; and for that he seeth that promise now keeped, he thanketh God, and is so muche the more willing to give his answere before their godlie wisdoms, as his competent judges in that mater, and after this maner. As concerning these things which he spake in his sermon the last Wedinsday, he spake them not quietlie, but all his brethrein, and all the Assemblie, heard them, and so can best of all others judge of the same. Wherefore, with all reverence he would submitt himself *simpliciter* to their godlie judgements alwise, nather being ashamed of his doctrine, nor yitt minded to give advantage to his enemeis, so farre as he may, whose purpose he knoweth against him in this mater. He will onlie crave, that the canon of the Apostle be keeped, "Against an elder receave no accusation, but under two or three witnesses." Lett anie man, therefore, according to the canon of the Apostle, stand up before them and say, he hath anie thing to accuse him of, ather in life or doctrine, and have two or three witnesses readie with him to prove the accusatioun; then he sould answere as effeirs. Seing James Melvill heard not his doctrine, and therefore could not take upon him to accuse him, he would superseed farther answere till he saw his accuser.

The Assemblie directed Mr Thomas Smeton and David Fergusone to the king with this answere, and to crave that an accuser, with two witnesses, might be had. Farther, in respect that at the last calling of Johne Durie before the Privie Counsell, for certan

words alledged uttered in his sermon, order was takin by certane commissioners of the counsell, and brethrein of the Assemblie, that incace suche accusations sall fall out afterward, the kirk sall have the judgement therof, and if the king pleaseth to send anie commissioners, to be present at the triell, they sould see and marke their proceedings; therefore, desired his Majestie to send commissioners to see this mater tried, seing the Assemblie is most willing to trie the same. Mr Walter, in the fyfteenth sessioun, craved the like again, or ellis, seing he spake nothing but publictlie, in face of the Assemblie, that they would give their judgement and determinatioun in the mater; submitting himself alwise reverently to their wisdoms. The Assemblie directed Mr David Lindsey and Mr Thomas Smeton to his Majestie yitt again, to crave that the accuser, with his two witnesses, might be brought before the Assemblie; as also, if it be his Hienesse his pleasure to send some commissioners from the counsell to observe the proceedings of the Assemblie therin. The king and counsell were so occupied, that the brethrein directed gott no answere. Howbeit the Assemblie testified their willingnesse to trie orderlie the accusatioun, yitt, for satisfactioun of the king's Majestie, and removing of all slander that may arise heerby, certan commissioners were directed from the Assemblie to the particular kirk of Edinburgh, to require of them, if in this sermon, which was had upon Wedinsday was eight dayes, by their minister, Mr Walter Balcalquall, anie of them had found, or findeth anie word uttered, which was erroneous, scandalous, or offensive. A brother of the sessioun of the kirk reported their answere, that they heard nothing ather erroneous, scandalous, or offensive in his sermon, but good and sound doctrine, wherof they desired the Assemblie's approbatioun. The Assemblie voted, and without contradiction declared, that he had uttered nothing in that sermon erroneous, scandalous, or offensive, but solide, good, and true doctrine; for which they praised God.

COMMISSIONS.

The Assemblie ordeaned William Christesone to passe to the king's Majestie, and meane to his Hienesse the great divisions and deedlie feeds in all quarters of the realme, to the great hinderance, not onlie of religion, but of the commoun wealth; and to desire his Grace to authorize suche commissioners as the Assemblie sould direct, for repairing therof. The Assemblie appointed some brethrein, in the twelve sessioun, to travell in the West, some to travell betuixt Gowrie and Oliphant, others betuixt Glames and Crawfurd; and to travell effectuallie for reconciling of the said parteis, that this slander may be removed out of the kirk, and the commoun weale, which was wounded by their divisiouns, might be healed. In the nynteenth sessioun, the brethrein directed to the king, with answere to his master (of) houshold's commission, were appointed also to desire that his Majestie would tak order with the deedlie feeds and disorders rysing therupon through the countrie, and to appoint some commissioners to concurre with the commissioners of the Assemblie, to procure reconciliation betuixt parteis.

Johne Craig, appearand of Rammiscraig, and his spous, desired that the commissars of Edinburgh sould be required to superseed the caus persued by Barbara Keith against them. The commissars being present, the Assemblie required them, when they were to proceed anie wise in this particular, or other things that appeared to tuiche the jurisdiction of the kirk, to conferre with the Pryour of Pittenweme, Mr Robert Pont, and Mr Alexander Arbuthnet, who sall conveen with them, and reasoun both upon their jurisdiction, and the jurisdiction of the kirk, that neither of them usurp other's jurisdictioun, and to report their judgement to the Assemblie again; and requested the commissars to proceed no farther in this particular during this conference. They reported, in the nynteenth sessioun, that they had reasouned upon this heed, and that further reasoning was yitt required. The Assemblie ap-

pointed Mr David Lindsey, Mr Robert Pont, Mr James Lowsone, and the Pryour of Pittenweme, to travell farther in the conference, as also, in this particular of Barbara Keith; and to draw their conference and reasoning to some point, and to report to the nixt Assemblie.

Commission was givin to some brethrein, ministers, and other commissioners, or to anie eight of them, to present to the Lords of Articles in parliament such heeds, articles, and supplications, as sall be givin to them by the Assemblie, and to require humblie the samine to be considered, lawes and constitutions to passe therupon; to treate, reasoun, and confer therupon, if need require; as also, if it sall please his Majestie to crave anie reasoning upon the heeds of policie, betuixt and the nixt Assemblie, to dispute, reasoun, and confer therupon, in name of the Assemblie, with suche as his Hienesse sall appoint, and to report their proceedings to the Assemblie. Mr Andrew Melvill and Mr Thomas Smeton were appointed to penne a supplicatioun to the king's Majestie and Lords of Articles, that no acts passe in parliament repugnant to the true Word of God, with sharpe admonitions. The supplication was read before the Assemblie, and allowed, and immediatlie some brethrein directed to present the same, with the articles. Becaus presbytereis were not as yitt fullie established everie where, the Assemblie nominated some brethrein for everie countrie respective, to travell diligentlie in erectioun of presbytereis betuixt and the nixt Assemblie. Mr George Hay, Mr Johne Robertsone, Mr George Monro, Johne Gray, were appointed for Cathnesse and Sutherland; Mr Johne Robertsone, Mr George Monro, Person of Duffus, and the Minister of Innernesse, for Rosse. Siclike for Murrey, for Aberdeen and Bamff, for Mernes, for Angus, for Stratherne, for Falkland, for Dunkelden, for the west end of Fife, for the Merce, Linlithquo, for Tiviotdaill, for Tweddaill, for Nithisdaill, for Galloway, for Kile, Carict, and Cunninghame. Some barons and ministers were requested to travell to that effect respective in the bounds appointed to them. Mr James Lowsone was ordeaned to penne the forme of proceeding in erecting of

them, that the brethrein being informed, they might proceed uniformelie.

ACTS.

It was concluded, that no change of the place of the presbytereis be made, without the determinatioun of the Generall Assemblie.

2. Alexander Foster, minister of Tranent, was suspended from his ministrie, for baptizing an infant in a privat hous. He acknowledged his offence in the thrid sessioun of this Assemblie. The Assemblie ordeanned him to make his publict repentance in the kirk of Tranent, in presence of Mr Andrew Blakhall, minister, before he be restored to the ministrie again, and that the like order be observed against others who had ministred baptisme in privat houses. For eshewing the like misorder in time comming, not onlie in ministring baptisme, but also the Lord's Supper, and celebrating mariage in privat houses, it was ordeaned, that in time comming no mariage be celebrated, nor sacraments ministred, in privat houses, but solemnelie, according to the good order hitherto observed, under the paine of depositioun from the functioun of the ministrie.

3. Forasmuche as the king's Majestie, with advice of his counsell, hath sett out and proclamed a godlie and Christian Confessioun of Faith, to be embraced by all his true subjects, and expreslie hath givin charge to ministers, to proceed against whatsomever persons that will not acknowledge and subscrive the same, wherin there hath beene great negligence hitherto, farre beside the duetie and office of true pastors; heerefore, the Assemblie hath injoyned and concluded, that all ministers and pastors within their bounds, with all expedient and possible diligence, execute the tenor of his Majestie's proclamatioun, betuixt and the nixt synodall assembleis of everie province; and present before the said synodall assembleis, to the Moderator therof, their debtfull diligence in this behalfe, to be reported to the nixt Assemblie, under the paine of deprivation of the said ministers from the functioun in the ministrie, who sall be found negligent therin.

4. All brethrein were admonished to observe the act alreadie made concerning the mariage of parteis divorced for adulterie, under the paines therin conteaned, till the questioun be fullie resolved upon.

THE MINUT OF SUCHE THINGS AS WERE REMITTED BY THE SYNODALL ASSEMBLIE OF LOTHIANE TO THE GENERALL ASSEMBLIE.

1. That an universall order be takin by the Generall Assemblie, for examination, triell, admissioun, and ordinatioun of ministers.

2. To inquire what persons of the ministrie sall designe gleebs and manses. And seing that the synodall assemblie of Lothian hath thought good that everie presbyterie sall direct some of their owne number to designe gleebs and manses within their bounds, we crave the consent of the Generall Assemblie, that the samine may be universall; and where there is no presbyterie, to appoint who sall designe the same.

3. Who sall await upon the platt for modifeing of the ministers' stipends?

4. What answere sall be givin to the king's letter, concerning the union and destruction of kirks?

5. That an uniformitie be takin, for summoning of persons before the presbyterie, and processe that is to be led before the same.

6. To sute that the triell and admissioun of all maisters of schooles be now injoyned to the presbytereis.

7. *Item*, Seing we of the synodall of Lothian have agréed, that disputatioun sall be everie day of the exercise, in everie presbyterie, speciallie upon suche articles as are in controversie betuixt us and the Papists; for avoiding of negligence of ministers, and to the end we may better withstand the adversare, that the Generall Assemblie will appoint the forme therof.

8. What order sall be used with ministers and readers that sett their gleebs and manses, ere yee oversee the samine?

9. *Item*, That an article be suted by the Generall Assemblie at the parliament, that all mariages without consent of parents, proclamation of bannes, or otherwise without the owne solemnitie, according to the order of the kirk, be decerned null.

10. To crave that an act of parliament be made against these that passe in pilgrimage, and use superstitioun at wels, croces, images, and other Papisticall idolatrie; or observe feasts and dayes dedicated to sancts, or sett out bone fires for superstitioun.

11. Seing the act of parliament appointeth them that are convicted of notorious adulterie, and through the ambiguous expositioun of the word NOTORIOUS, no executioun is used therupon; therefore, for avoiding the plagues of God, hanging above this whole countrie for this crime, that the Generall Assemblie would crave that an act may be made in parliament for punishment of all persons to the death, whatsomever are lawfullie convicted of adulterie.

12. *Item*, Seing an act of parliament is made anent discharging mercats upon the Sunday, and no executioun is followed therupon, wherethrough the people absenting themselves from the kirk, waiting upon the mercat, continueth in ignorance, and by this meanes atheisme increasseth; desire that some order may be takin in this parliament tuiching the execution of the said act, and that some punishment may be appointed against the magistrats that putt not the same in execution, notwithstanding anie privat dispensation in the contrare.

13. *Item*, That an act of parliament be made for provisioun of gleebs and manses to suche ministers as teache at abbey kirks, like as they are provided for others.

14. *Item*, Becaus there is an act of parliament, that all provestreis and prebendreis sall be givin to schollers, to hold them at the schooles; and it is of veritie that there are verie manie of this sort that are of cure of soules and parish kirks, not the lesse, by reasoun of the act of parliament, they are given to courteours; therefore, we desire that there be an act of parliament, that all provestreis and prebendreis that have cure of soules may be givin to none but to

ministers; and that if anie be givin, they may be null in tyme comming. Siclyke, prebendreis founded to schooles, and maisters teaching the same, to be givin, conforme to their foundatioun, to schoolemasters, for instructing the youth; and if the same be disponed otherwise, the dispensation to be null.

FOLLOWETH THE TENOR OF THE ANSWERS MADE TO THE SAID HEEDS.

Tuiching the First article, the Assemblie hath ordeanned William Christesone, Mr Andrew Melvill, Mr Thomas Smeton, Mr Alexander Arbuthnet, Mr James Lowsone, to consider the order at extraordinar houres, and present their judgement to the Assemblie, and Mr Andrew Hay and Mr Nicoll Dagleish to assist.

As to the Secund, the first part is agreed unto; and where presbytereis are not yitt, nor cannot be erected, the commissioners which were before appointed to remaine commissioners yitt, to that effect.

For satisfeing the Thrid, the Assemblie hath nominated the commissioners underwrittin, viz. for Orkney and Zetland, the Commissioners of Orkney and Zetland; and, in their absence, Mr David Lindsey; for Cathnesse, &c.

For answering to the Ferd,[1] concerning the king's letter, ordeaneth the Clerk of Register to be consulted upon the answere.

To the Fyft, refereth the forme heerof to be conceaved in writt, by Mr David Lindsey and Mr Patrick Adamsone, the morne, betwixt six and nyne.

As to the Sixt, agreed to be proponed in article to the parliament.

The Seventh refered to the eldership; and alwayes where their disputations may be had, the Assemblie thinketh them good.

For answere to the Eight, the acts of the Assemblie to be putt to executioun against suche persons by the eldership.

[1] Fourth.

The Nynth ordeaneth this article to be craved at the parliament, being first weill qualified, and presented to the kirk.

The Tenth siclyke.

The Elleventh agreed.

The Twelveth siclyke, and the kirk to proceed likewise against the violaters of the Sabboth day, and mainteaners of them.

The Thritteenth agreed.

The Fourteenth agreed.

A PARLIAMENT.

In the parliament holden in October, the duke bare the crowne, Huntlie the scepter, Argile the sword. James Stewart, Erle of Arran, tooke instruments, and protested it sould not be prejudiciall to him and his hous, that he caried not the crown at that time; for he alledged his hous to be neerest to the king. Upon Tuisday the 28th day, when the king was mounting on horsebacke, Sir Johne Seton, sonne to the Lord Seton, one of the king's master stablers, was commanded by the Erle of Arran, among others, to stand abacke, and give way; and becaus he would not so readilie as he desired, he offered to cast a battoun at him, or to strike his hors on the face: or, as others report, Sir Johne Seton preassing to enter in Sir James Preston's place, was commanded by the Erle of Arran to keepe his owne place. Which when he refused, the erle commanded his brother William to strike him. The guarde casting up halberts betuixt them, William brake a battoun upon a halbert, minting to Sir Johne Seton's horse. He minted to doe the like at the Stinking Style,[1] but prevailed not, for the guarde removed Sir Johne Seton. Upon the day following, the penult of November, the king came again in pompe to the Tolbuith. The duke

[1] The place so named was a passage or close, nearly opposite Haddo's Hold, and nigh the Tolbooth. Perhaps, from its neighbourhood to the place of the sitting of the Privy Council, this Stinking Stile was a spot where feuds were fought out, and where, occasionally, an assassination took place.—*See Pitcairn's Criminal Trials*, Vol. i. Part ii. p. 100.

would not ryde, becaus Seton and his two sonnes were commanded to keepe their loodging. Atholl caried the sword, Argile the scepter, Huntlie the crowne. At this parliament, Angus, Morton, his two sonnes, Carmichaell, and sindrie others, were forefaulted.

It was statute in this parliament, that seing one minister might hardlie instruct manie parishes, that everie parish kirk, and so muche bounds as sall be found to be a sufficient and competent parish, sall have their owne pastor with a sufficient and reasonable stipend, according to the abilitie of the parish. *Item*, Becaus the dregges of idolatrie yitt remaine in diverse parts of the realme, by using of pilgrimages to some chappells, wels, croces, and suche other monuments of idolatrie, as also, by observing of the festivall dayes of sancts, sometimes named patrons, in setting furth of bone fires, singing of carrells, running about kirks at certane seasons of the yeere, and observing of suche other superstitious and Papisticall rites, it was ordeanned, that none of his Hienesse' lieges hant, frequent, or use the said pilgrimages, or others forenamed superstitious and Papisticall rites, under the paines following, &c.

ARRAN MARIETH THE COUNTESSE OF MARCHE.

Captane James Stewart, after that he was made tutor to the Erle of Arran, he grew so familiar with the Countesse of Marche that he begott upon her a child. To cover this adulterous fact, a processe of divorcement was intended by her against her lawfull husband, the Erle of Marche, which was easilie obteanned, and so, the new made erle and she were joynned together in mariage. She was delivered of a man childe about this time.

TWO COUNSELLS AT ONE TIME.

Arran, Argile, the Secretar, the Treasurer, the Comptroller, and sindrie others, held counsell in the Abbey: the Duke, the Lord Maxwell, now Erle of Morton, the Lord Seton, and sindrie others, held counsell in the castell of Dalkeith, where the king was for the

time, and disannulled whatsoever the other counsellers had concluded. The crafts of Edinburgh watched in the Abbey, at Arran's desire.

M.D.LXXXII.

THE DUKE AND ARRAN RECONCILED.

Arran sueth for reconciliatioun with the duke, which at last, after two moneths' variance, was effectuat by the king. In time of the discord, he flattered the ministers to procure their freindship; and, fearing the duke would bring home the Hammiltons, at Seton's instigatioun, he threatned to bring home the Dowglasses, and wrote twise to Angus. But, after their reconciliatioun, loath was he to displease the duke for anie man's pleasure.

THE PRACTISES OF THE PAPISTS.

Letters were sent from France, about this time, disclosing some practises of the Guisians and the Cardinall of Lorane; that Mr William Crichton, the queen's pensioner, was to be sent to this effect: The drift of the practises was, that the king sould give over the crowne to his mother, and take it of her again with her blessing, or ellis no king in Europ will acknowledge him for king. Wherupon it sould have followed, that the approbatioun of religioun, and all other things done since his coronatioun, sould be compted null; suche as had beene the king's freinds sould be compted tratours, and his adversareis good servants. Johne Durie, in his sermon, upon the 24th of Januar, said openlie in pulpit, that the king was moved by some courteours, to consent to send a privat message to the King of France, the queen-mother, the Duke of Guise, and to seeke his mother's benedictioun. He was so informed by George Dowglas of Lochlevin, who was imployed in the message. Argile confessed to Mr James Lowsone, he had gone too farre in that mater, but promised to beware in times comming; and said, if he saw

anie thing intended against religioun in the court, he sould forsake the intenders, and oppone himself to them.

MR J. DAVIDSON'S CONFERENCE WITH THE KING.

Mr Johne Davidsone, in conference with the king, upon the 23d of Februare, told him what horrible confusioun had entered in the commoun weale, and counselled him to beware of two sort of men: the one, suche as opponed themselves to his authoritie in his minoritie, whereby they committed suche offences, as they are not able to underly the law, and must needs therefore feare his Majestie now, being king; the other, suche as are conjured enemeis to religioun, both at home and in other countreis. Johne Duncansone said, "His counsell, Sir, is verie good." "Indeid," said the king, "his counsell is verie good:" and with that start away, according to his maner.

MR R. MONTGOMRIE HIS INSOLENT BEHAVIOUR.

Upon the eight of Marche, Mr Robert Montgomrie came to Glasgow with a number of the guards; and the minister being in pulpit, he pulled him by the sleave, saying, "Come doun, Sirra!" The other answered, he was placed there by the kirk, and would give place to none intruding himself without order. There was appearance of trouble, unlesse the Laird of Minto had stayed the bishop, and commanded him to ceasse. The eldership of Glasgow was summouned to compeere before the counsell, against the fourth of Aprile.

ARRAN CENSURED BY THE KIRK.

Arran was ordeaned to make his repentance before he could get his childe baptized, borne a quarter of a yeere before he was maried; which he did on the morne after that, the 14th of Marche, in Halyrudhous, before the king. He confessed his offence, and offered

to underly the discipline of the kirk. The like ordinance was made for his ladie. She was so greeved, that through her greevous words he conceaved some displeasure.

THE PRESBYTERIE OF STIRLINE SUMMONED BEFORE THE COUNSELL.

The brethrein of Glasgow were charged, under paine of horning, to admitt Mr Robert Montgomrie. Mr Robert Montgomrie was summouned to compeere before the Presbyterie of Stirline. The brethrein of Stirline compeered upon the 20th day, before the counsell in Halyrudhous, for suspending of Mr Robert Montgomrie from the ministrie. They refused to answere to them as judges competent in that caus.

This night, at nyne houres, the Master of Oliphant came to the Lord Ruthven, now Erle of Gowrie, his chamber, without sword or anie other weapon, and offered himself in his will.

THE PRESBYTERIE OF GLASGOW SUMMONED BEFORE THE COUNSELL.

The king road to Stirline the 22d day of Marche, to the baptisme of the Erle of Arran's childe. Upon Tuisday, the thrid of Aprile, the synodall assemblie of Lothiane being conveened in the East Kirk of Edinburgh, was charged by an officer of armes, at the instance of Mr Robert Montgomrie, to compeere at Stirline, the 12th day of that instant, before the counsell, and to desist in the meane time from farther processe. The eldership of Glasgow was continued to the same day. Mr James Lowsone, Johne Durie, and Mr James Carmichaell, were sent from the Assemblie, to requeist the king most humblie to suffer the kirk to execut their discipline; otherwise to protest, that they would stand to it to the uttermost, and rather obey God than men. Upon Wednisday, the elleventh of Aprile, the ministers of the Presbyteries of Dalkeith, Linlithquo, Edinburgh, with diverse elders, as the Lairds of Braid, Fa-

dowside, &c. went to Stirline. They consulted with the brethrein of Glasgow upon their answere. They agreed to declyne; yitt were content that the king, or anie of his counsell, sould heare the whole mater, *extra judicium*. They were called. After some words spokin by the king, the Commendatar of Dumfermline, secretar, urged the presbytereis with an answere. Mr Robert Pont answered, as was concluded before noone. After their comming from counsell, the king and the duke went out also, and the brethrein were not called upon again. Some of the brethrein, fearing that their departure would be takin for a deserting of the caus, they consult what to doe. Johne Durie and Mr Johne Davidsone went to Johne Andrew, the counsell-clerk, and desired a copie of the declinatour uttered by Mr Robert Pont before the counsell. The clerk denied there was anie suche thing mentioqned. They said, it could not be denied. The other said, it would not be granted. Then said Mr Johne, "We will declare our parts, in time and place, where God hath called us to speake, and how we are used." Wherupon it was granted.

Mr James Lowsone, Johne Durie, Mr Walter Balcalquall, and Mr Johne Davidsone, went to the king the day following, to take their leave. Mr James desired, that the extract of the declinatour might be had. The king said, "Reasoun." Mr James added, that the godlie were much offended, that the king and counsell sould decree, that they might dispone bishopricks, spirituallie and temporallie, *pleno jure*, as they terme it, at their owne pleasure. Johne Durie said, that it behoved them to proceed to excommunication of Mr Robert Montgomrie, incace he proceeded anie farther in that mater. The king said, "We will not suffer you." "We must obey God rather than men," said Johne, "and pray God to remove evill companie from about you. The weelfare of the kirk is your weelfare: the more sharplie vice be rebooked, the better for you." The king seemed to be muche moved, and not farre from teares.

Before their departure from Stirline, they summouned Mr R. Montgomrie to compeere before the nixt Generall Assemblie, the fourth day therof. Some report that the brethrein of Glasgow were

exonered of their summouns, becaus it was *actio voluntaria* to admitt a man to an ecclesiasticall functioun, and the kirk sould not be compelled to admitt anie man under the paine of horning; and seing they were not willing, the king and counsell would admitt him to it *pleno jure*. Wherunto the brethrein opponed; and protested for remedie of law. Great hatred was conceaved against Mr Andrew Hay and Mr Thomas Smeton, becaus they were the cheefe hinderers of Mr R. Montgomrie's admissioun. Becaus Mr Andrew Haye's brother's sonne, the Laird of Tallow, younger, was executed for the murther of the king's father, Mr R. Montgomrie would have had Mr Andrew brought under suspicioun of foreknowledge and concealing, that he being wairded, and so removed out of the way for a seasoun, his turne might be the more easilie wrought.

THE FOURTIE-FOURTH GENERALL ASSEMBLIE.

The Generall Assemblie conveened at St Andrewes, in the New Colledge, the 24th of Aprile. Mr Andrew Melvill was chosin Moderator. He desired certan brethrein to be assessors, to conveene with him at extraordinarie houres, to prepare maters to be proponed to the whole brethrein, without prejudice anie wise to the libertie of the Assemblie. At his desire were nominated Mrs Johne Craig, James Lowsone, Andrew Hay, David Lindsey, Robert Pont, Thomas Smeton, Andrew Polwart, Thomas Buchanan, Patrik Adamsone, the Rector; the Lairds of Lundie, Merchinston, Braid, Pilrig, Elphinston, Patrik Kinninmonth, Johne Johnston, Commissioner of Edinburgh.

COMMISSIONS.

The names of the brethrein who were appointed by the last Assemblie to travell diligentlie in the erectioun and constitutioun of elderships being read in the secund sessioun, so manie were called on as were present to report their diligence. Some reported, that they had erected as was committed to them; some, that they had

erected a presbytrie of ministers, but not as yitt of gentlemen or elders, to witt, in the Mernes and St Andrewes; some, that they had considered the bounds where presbyteries might most convenientlie be had, but had not as yitt perfyted that worke, as in Aberdeen and Bamf. None were present to declare what was done in the remotest north, to witt, Cathnesse, Rosse, Sutherland, and Murrey. The Assemblie appointed some brethrein to travell in the erectioun and establishing of presbytereis betuixt and the nixt Generall Assemblie, in the particular bounds after specified respective, as they were joyned together in commissioun; to witt, for Cathnesse and Sutherland, for Rosse, for Murrey, for Aberdeene and Bamff, for the west end of Fife, for Tiviotdaill, for Tweddaill, for Nithisdaill, for Galloway.

A commissioun was givin to the Erle Marshall, the Abbot of Deir, Mr Patrik Adamsone, Mr George Hay, Mr Alexander Arbuthnet, Mr James Martine, Proveist of St Salvator's Colledge, or to anie three of them conjunctlie, to visite the north, and call before them, where they think most expedient, suche as be suspected of Papistrie; to urge them to subscrive the Confessioun of Faith, sett out and authorised by the king's Majestie, and if anie be found disobedient or obstinat, to proceed against them, according to the acts of the Assemblie. Commissioun givin before to the eldership of Dundie, to proceid against the Master of Gray, was renued. He had promised to subscrive; but they would not accept his subscription, till he had first communicat, which he also offered to doe.

THE PROCEEDINGS OF THE ASSEMBLIE AGAINST MR R. MONTGOMRIE.

Mr Robert Montgomrie being cited by the eldership of Stirline, to compeere before the Assemblie, to heare the sentence of suspensioun from his ministrie pronounced by them, allowed by the Generall Assemblie, and farther triell to be takin concerning his life, doctrine, and maners, or suche things as the Assemblie might lay to his charge, he being present, was desired to answere.

He protested, if the Assemblie proceeded in anie thing against him, or charged him with anie thing without warrant of the Word, for remeid. As for the summons, he alledged, the Assemblie sould not allow anie thing deduced in the said processe, becaus he was never lawfullie summoned thereto; knew nothing of his suspensioun from the ministrie, but onlie by bruite; that the samine was never intimated to him; and in so farre as the processe beareth personall intimatioun to him of the said suspensioun, tooke instruments therupon, and offered to improve the samine in that point. The Assemblie having advised upon all his alledgances, found the processe, decreet, intimatioun, orderlie deduced, and the sentence of suspension duelie pronounced, reserving, notthelesse, to Mr Robert, in the secund instance, to seeke reduction and remeid, as apperteaneth. Being farther accused of controveening the sentence of suspension, by preaching of the Word and ministration of the sacraments, he pretended ignorance. Mr Mark Ker, Maister of Requests, sonne to the Lord Newbottle, presented the king's letter to the Assemblie, wherin was declared, that the Assemblie sould not trouble Mr Robert for anie thing concerning the bishoprick, or anie thing that may result therupon, or for anie other caus bygane committed by him, but that it might be treatted before his Hienesse. This letter being read in open Assemblie, the brethrein praised God, that moved the king's Hienesse to send his commissioner to the Assemblie. As for the actioun present, promised that nothing sould be handled belonging to the civill power, and nothing but uprightlie, sincerelie, and with just judgement, as they sould answere to God and his Hienesse.

In the sessioun following, that is, the seventh, an ample discourse was made of the diligence of the brethrein to whom commission was givin in the last Assemblie concerning Mr Robert, and the copeis of the charges givin to them at his instance produced, which testified his knowledge of the said suspensioun, howbeit he protested before God, he never knew of the raising of anie of the said charges, or executioun therof. The Assemblie findeth, that he hath contraveened the sentence of suspensioun. Mr Robert

asked, if the Assemblie would accuse him upon anie thing concerning the bishoprick, or anie thing resulting therupon; and craved, that the summe of the discourse made verballie by the brethrein might be givin in in writt, that he might answere to everie point therof. Being removed out of the Assemblie, within a little space after compeered Johne Burne, messinger, and by vertue of the king's letters, delivered by the Lords of Secreit Counsell, discharged the Moderator and his assessors, the brethrein of the Assemblie, to direct anie citations against Mr Robert Montgomrie, to excommunicat, slander, or trouble him in his ministrie, for aspiring to the bishoprick of Glasgow; or calling or persuing of his brethrein for the same, or for anie promise made theranent, or anie other thing depending therupon, in time bygane, under the paine of rebellioun, and putting of them to the horne: Certifeing them, if they faile, he will denounce them our soveran lord's rebels, and putt them to his Hienesse' horne. He delivered a copie of the charge, subscrived with his owne hand. Mr Robert was called upon, but stayed not upon the answere of the Assemblie to his demands. The Assemblie ordeaned Mr Thomas Makgie to warne him to compeere personallie before the Assemblie, the day following, at ten houres. He promised to compeere, but came not; but William Montgomrie, his alledged procurator, produced an appellatioun.

Certan offences were read, wherof he was alledged to be guiltie: negligence in teaching, corrupt doctrine, dissolutioun in life, for which he was suspended; contraveening of the suspensioun, in Glasgow, Stirline, and the king's owne chappell; violating of his owne promise made to the Presbyterie of Stirline, that he sould remaine, and await upon his cure; horrible lees in the face of the whole Assemblie, denying, with protestation before God, the intimatioun of his suspensioun, and raising and executing letters, procuring the letters by sinistrous information, for overthrowing the discipline of the kirk; intruding himself in another man's flocke, since the suspension, and that accompanied with armed men; procuring a charge discharging the Assemblie, under paine

of horning, to proceed against him; blaspheming and railing against the brethrein and the ministrie, in pulpit, since the suspensioun, and before; contempt of the ordinance of the kirk, and stirring up of a divisioun betuixt certan of the nobilitie and the kirk. He is found guiltie of these offences, partlie by his owne confessioun, partlie by the processe deduced by the Generall Assemblie holdin last in Edinburgh, partlie by the processe deduced before the eldership of Stirline, and partlie by the testification of good and godlie brethrein, who were present at this Assemblie. For these offences, the Assemblie concluded that he was worthie to be deprived, in all time comming, of the ministrie, and that the sentence of excommunicatioun sould strike upon him, except he prevented it by repentance. The Maister of Requests desired the pronouncing of the sentence might be differed till his Majestie were advertised. The Assemblie delayed their answere till after noone. In their meeting after noone, that is, in the nynth sessioun, he was deprived, by the voice of the brethrein, from all function in the ministrie, during the will of the Assemblie. Farther, it was decerned, that the sentence of excommunicatioun sould be pronounced by the moderator, in presence and audience of the whole Assemblie; and that the sentence be intimated by everie particular minister, in the first sermon to be made by them, after their returne to their particular kirks. The pronouncing of the sentence was delayed till Moonday, becaus Mr Robert compeered, and renounced the appellatioun interponed by his procurator in his name, and by himself, before noone; and desired to have conference with some brethrein, which was granted, till Moonday at nyne houres, upon conditioun that he attended upon the exercise of the doctrine, and conference of the brethrein in the meane time, nor purchassed new charges to that time, which he promised; and the Assemblie ordeaned him to be prayed for, after sermon, by him that occupied the place the day following.

This his compearance and submissioun proceeded upon this ground: Mr Johne Davidsone, and some other brethrein, desired, that ere the sentence of excommunicatioun were pronounced,

he might be yitt once admonished, seing he was in the toun. Wherupon, Mr Johne Davidsone, Mr Patrik Galloway, Minister of St Johnston, and other two or three brethrein who had made the motioun, were sent to him. They travelled with him, but were almost readie to returne without prevailing. Mr Johne spake sharpelie to him. Then he said, "What would yee doe, if yee were in my cace?" "We would submitt to the Assemblie," say they. "That is verie hard," said he. Then Mr John desired him to sitt doun upon his knees, and pray to God with them. He was so moved with the prayer conceaved by Mr Johne Davidsone, not without manie teares and great vehemencie, that after the prayer was ended, he satt still a prettie space upon his knees, groning and sighing. He riseth, and sayeth, "Gett me my cloke: I will goe with you to the Assemblie." Yitt, when he came to the Colledge Closse, loath was he to goe in, under simple submissioun. They left him, went in, and reported to the Assemblie what had passed among them. After some reasoning, it was agreed, that he sould have accesse to come in, if he sought accesse, and offered himself; but they would not seeke him.

Mr Patrik Galloway is directed to declare to him the minde of the Assemblie. He offered himself, and getteth accesse. First, he renounced his appellatioun. After, he desired the brethrein to beare with his weakenesse, and to grant him some space of time, to conferre with some brethrein of the Assemblie, whom he trusted to satisfie. As for renouncing his letters of charging, he made some difficultie, except they would grant him some conference. He was removed, and after reasoning, it was granted he sould have time till Moonday, providing he conferred with Mr Robert Pont and Mr Craig, in the meane time. Sindrie were greeved and offended, becaus they suspected the conference was sought till Moonday, that then he might ryde off the toun. Mr Patrik Adamsone taught the day following, that is, the Lord's day, upon the thrid of Exodus. He said, it behoved the Kirk of Christ to be like the bush sett on fire; but woe be to him by whom it is sett on fire! Mr Andrew Simsone preached after noone. He painted

out Mr R. Montgomrie in his colours, named him, and desired the congregation to pray for him. In the conference which some brethrein had with Mr Robert, after noone, he asked the brethrein what he sould doe? Mr Robert Pont said, "Give over all simplie, and come in the kirk's will." Mr Craig said the like. He was content to humble himself, so farre as the caus was ecclesiasticall. He had made a promise to the king, wherof he would know how to rid himself; and if he could gett a pensioun of the bishoprick, he would never meddle with it. They answered, an evill promise did not bind him; and as for a pensioun and recompence of his charges, in their judgement, the Assemblie would not find fault with it, if he might obteane it without corruptioun of the office. They had another conference on the morne, which ended with some likeliehood. But he had ever a respect to some worldlie commoditie.

The Assemblie sitting doun, he was called upon. In the meane time, he had sent for Mr Davidsone, who advised him *simpliciter* to submit himself; but he was wonderfullie perplexed. Then the Master of Lindsey and the Laird of Lundie dealt with him earnestlie to yeeld *simpliciter*. After long reluctatioun, at lenth he condescended, and came into the Assemblie, and granted, as appeared, with all submissioun, his offences in everie point, to the great admiratioun and contentment of the Assemblie; and said, "If he had knowne the mater would have come to so great a trouble of the kirk, and that it would have been so farre mislyked by good men, he rather [would] have gone where never man knew him." Mr Thomas Smeton, Johne Durie, and sindrie others, who had beene most fervent against him, came of their owne accord to him, embraced him lovinglie, and forgave him freelie all offences committed by him against them in particular.

His submissioun and confessioun is sett doun in the Register, in the elleventh sessioun, after this maner: They demand of him, in presence of God, to declare the truthe simplie of these crimes and offences that were layed to his charge. After he had prayed God to be mercifull to him, granted and confessed, as after followeth:

He confessed the command givin by him to the Reader of Stirline to desist from his office; granted baptizing of infants begottin in fornicatioun, but tooke caution of the parents to satisfie the kirk, but not in presence of the sessioun, or elders therof. As to the circumcisioun of weomen, he remembred not he preached it; granted he promised to the Presbyterie of Stirline to await on the charge of his ministrie there, which he hath brokin; confessed that, upon the 20th day of March last, he heard mentioun made of his suspensioun by the Presbyterie of Stirline, but was not certane therof, for he could not gett a sight of the processe; declared that howbeit he knew not the raising of the letters against the brethrein, yitt he keeped the ordinar dyets of the charges; granted intrusion upon Mr David Wemes' flocke; granted he had heynouslie offended God and his church, by procuring charges to be raised against the Generall Assemblie, and in accepting the bishoprick of Glasgow, without advice of the same, for which offence he submitted himself to underly whatsoever injunctions of the Assemblie.

Being required to declare his upright meaning concerning the estat of bishops, and corruption therof, he desired conference with Mr James Lowsone, Mr Craig, Mr Robert Pont, Mr David Lindsey, and the Laird of Colluthie, for his farther resolutioun; wherinto the Assemblie agreed. In the same sessioun, the protestations made by the Presbytereis of Edinburgh, Dalkeith, and Linlithquo, against the sentence givin by the king and Secreit Counsell, in favours of Mr R. Montgomrie, and the sentence itself, were read publictlie, and the protestations allowed, all the brethrein, in one voice, adhering thereto. Mr Robert for his part allowed the same also, and adhered thereto. In the 12th sessioun, Mr R. Montgomrie promised before God, in face of the whole Assemblie, that he sould meddle nor attempt no farther concerning the bishoprick of Glasgow, nor tak upon him the same, or anie office within the kirk, without advice and consent of the Generall Assemblie; renounced the charges givin to the Generall Assemblie, at his instance, with the letters purchassed by him against Mr David Wemes, and protested, that in this mater concerning the bishoprick of

Glasgow, he meaned no otherwise than the whole brethrein doe. Yitt the Assemblie injoyned the brethrein of the Presbyterie of Glasgow to trie diligentlie if he medled with the bishoprick, and proceeded anie farther against his promise made to the Assemblie; and if they find him to have medled therwith anie wise, to decerne him to have contraveened the act of the Assemblie, and to have violated his promise: and to report their processe and decreet therupon to the Presbyterie of Edinburgh, to whom the Assemblie giveth power to nominat, in that cace, a brother, to excommunicat the said Mr Robert. Seing he was deprived of his functioun during the will of the Assemblie, two brethrein were appointed to supplee his place, till the nixt Assemblie, when order sould be taikin therin, and the Assemblie sould understand farther of Mr Robert his behaviour.

THE KING'S LETTER TO THE ASSEMBLIE.

Mr Mark Ker, sonne to the Lord Newbottle, and Maister of Requests, compeered in the fyft sessioun, and presented the king's letter, and a certan conference which was had in Edinburgh, betuixt some of the counsell and some of the ministrie; and craved an answere in writt, conforme to his Majestie's letter. Followeth the tenor of the king's letter:—

"Trust freinds, we greete you heartilie weill. Yee remember, in our late parliament there is an act past, tuiching the provisioun of ministers, and certan stipends for them at all parish kirks, and appointing commissioners for ordering therof: As also, some of the articles givin in by the ministrie, and committed to the consideratioun and order of certan commissioners nominated by our act of parliament. And finding it needfull, that the saids acts sould have executioun, and that if it were not done in due time, the order could not tak effect the nixt yeere, but continue in the stait present, to the great miscontentment of manie, we conveened some of your number latelie, at Edinburgh, and caused certan of our counsell confer with them, for the better understanding of our meaning.

And that yee all might be the better certified therof, at this your Assemblie, wherethrough the work intended might proceed and tak effect at the first day of November nixt, to the removing of the present disorder and confusioun, and satisfactioun of all persons having interesse, as accords of equitie and reasoun, as, by the summe of that wherupon they conferred, we doubt not yee have understand, the copie wherof we have also delivered to this bearer, tuiching the making of a new forme of that assignatioun for the ministrie, which sall take effect at the first day of November. Albeit large pains have beene takin theranent, yitt can it not be putt in suche order as were seemelie to be divulgated, whill certan of the answers and advices of your brethrein yitt wanting be returned, as namelie, from Cathnesse, Elgine, Bånff, Kincardin, and bounds adjacent to Strabogie, Dunkelden, Creif, Falkland, Edinburgh, Dalkeith, Hadinton, Dunce, Kelso, Melrose, Peebles, Biggar, Lanerk, Glasgow, Dumbartan, Irwing, Minnibole, Dumfreis, Penpont, Lochmabane, and Annand: As also, whill it be resolved from the Assemblie, what is thought meete and concluded, tuiching the readers in generall, and speciallie tuiching vicarages that are givin and provided to readers for their lyfetimes; and last, tuiching the inequalitie of stipends, sume having victuals allowed at a small price, and others, of the money assigned, constrained to buy their victualls at the highest prices: Which points, with the others conferred upon, being once speciallie considered, the forme of assignation for the nixt yeere may be made the muche more easilie, and the articles refered by the estats to the commissioners answered, and made in lawes, as apperteaneth. Wheranent, looking for your certan and direct resolution at this time, wherethrough the worke may proceed, how soone convenientlie may be, committs you in the protectioun of God.

(*Sic subscribitur*) "JAMES R.

"At Stirline, the 16th day of Aprile 1582."

THE TENOR OF THE ARTICLES.

1. Whether thinke yee, that all benefices under prelaceis, newlie provided since the king's coronation, sould pay anie thrid, or no thrid?

2. If some sould pay thrid, and some none, what sall be the difference and distinctioun?

3. Sould not all benefices presented to ministers and readers, before the first day of November 1581, be allowed in their yeere's stipends, from the same day to the first day of November 1582? And if yee thinke that there sall be anie difference or distinctioun, by reasoun of the Annat, or otherwise, that yee declare.

4. Sould not all persons presented, and admitted to benefices in this time, be placed in the booke of modificatioun, as ministers or readers to the kirk belonging to the same benefice?

5. Ought suche (being ministers) as have sufficient ecclesiasticall livings of their owne, by reason of benefices wherunto they are provided for their lyfetime, take stipends to serve at anie kirks?

6. Thinke yee it not convenient, that the reports answering the king's Majestie's letter, sent over all the realme this last sommer, sall be seene and considered at this time, for the better understanding of the estate of the kirks; and to see how manie of the same reports are in your hands? For so manie as the Clerk of Register hath sall be readie and patent.

7. That yee will lett us understand, what ye have thought meet, and concluded, tuiching the readers in generall, and speciallie, readers that are presented to vicarages for their lyfetime.

8. Thinke yee it reasonable, that anie provided in title of a benefice, and serving as minister and reader at the onlie kirk belonging to the benefice, sall have anie maner of allowance or stipend nor the rent of the self-same benefice?

9. What thinke yee the most readie and possible moyen to susteane the ministrie of the kirks belonging to colledges?

10. To whom, thinke yee, the king's Majestie and the laick patrons sould direct their presentatiouns, for admitting of qualified persons to suche benefices as sall happin to vaike, by deceasse of the present possessors of them? and that ye will name the persons in speciall.

11. Seing the dearth of victuals maketh great inequalitie of stipends, some having victuall allowed for a merk or twentie shilling, and others, of that silver assigned to them, constrained to buy at five or six, and sometimes at seven merkes the boll; were it not agreeable to equitie that all ministers had their proportionall part, als weill of victuals as of money; or ellis that the victuals sould be sold or allowed at the highest price, wherethrough suche as have small stipends might be the better augmented?

ANSWERES TO THE SAID ARTICLES.

1, 2. To the First and Secund, Before they be speciallie answered, it is thought meetest that there be a forme of assignatioun made, by some to be directed therto, betuixt and the nixt Assemblie, to all kirks and ministers that are likelie and apparent to stand and continue, respecting the answeres and advices sent out of everie countrie, and as if the present possessours were deid; and that charges be directed to suche as have not sent their answeres, to send them with expeditioun.

3. It is thought meetest that the intrant to anie benefice sall enter and serve the cure of the kirk therof, at the nixt first day of November after his admissioun, at the least, at the nixt Witsonday; and sall have no farther stipend for this yeere but the taxt or superplus, as it falleth, becaus his executors will fall als muche at his deceasse, according to the ancient order of the annats; and that diligence be done to gett Bagismondis' roll of all benefices taxt, and whatever benefices are not taxt, the rents therof, the first yeere, be divided equallie betwixt the executors of the defunct and the intrant, which intrant sall have onlie the half fruicts of the first yeere of his entreis, and siclyke of the stipends.

4. We thinke none sall be placed in the books of modificatioun but qualified and worthie persons; and if anie be presented and admitted to benefice since the king's coronation, that are unworthie, and unable to discharge their dutie, that they be called, and deprived by suche order as sall heerafter be condescended upon.

5. For the generall, we thinke that suche being ministers as have sufficient livings, as their owne; by reason of benefices wherunto they are provided for their lyftimes, sould not tak stipends to serve at other kirks, without great necessitie seene and allowed by the Generall Assemblie; and upon speciall knowledge of the persons that are not able in this heed, order sall be taken to reforme them, as apperteaneth.

6. We think this is most necessar, and agreeable to that which is appointed in the answere to the first and secund articles.

7. This article sall be speciallie answered, how soone it may be advised by the Generall Assemblie.

8. Upon the sight of the forme of the particular assignatioun to be made, and what particular causes sall fall under the rule, we sall give our speciall answere heerunto, which is coincident, and will depend upon the answere to be made to the first and secund articles.

9. We cannot but thinke it reasonable that the colledge kirks be als weill provided of ministers as other kirks, and thinke that in making of the forme of new assignatioun for the nixt yeere, the ministers of the kirks of the colledges sould be assigned for his stipend upon the fruicts of the same kirk, als muche being assigned otherwise to the helpe of the colledge; or then, the colledge to have the rents of the kirk as before, and the minister to have his assignatioun otherwise.

10. The presentatioun to be directed to the commissioners of the kirk within whose bounds the benefice lyeth.

11. This mater is weightie, tuicheth manie, and can not be weill answered by us, without advice of the whole Assemblie, to whom it sall be proponed, and therafter resolute answere givin.

Followeth the tenor of the letter writtin to the king's Majestie

in name of the Assemblie, which was thought good to be delivered to the Maister of Requests, in the nynth sessioun.

"Please your Majestie, we have receaved your Grace's most loving letter, directed to us by your Grace's commissioner, Mr Marke Ker, Maister of Requests; and are compelled to burst furth with most humble thanks to our God, who of his mercie hath givin us so godlie a king, carefull, and weill willing that God be glorified, and his kirk within your Majestie's realme mainteaned, as plainlie appeareth by the articles by your Grace proponned; wherunto, with all diligence we beganne to make answere. But in suche shortnesse of time, and strait wherinto we are brought by certan letters, raised at the instance of Mr Robert Montgomrie, we are altogether stayed in that, and manie other godlie actions. For upon the 27th day of this present, the Assemblie being occupied in quiet and modest reasoning of grave and weightie maters, he caused an officer of armes irreverentlie to enter, and, under the paine of horning, command the whole Assemblie from all proceeding against him, for whatsomever enormitie committed in thir his wicked attempts; a thing that was never heard nor seene since the world beganne, wherof we must lament unto your Grace; and having no other refuge under God, must humblie crave, that by thir extraordinar charges, direct against the Word of God and lawes of your Grace's countrie, we be not constrained, ather to betray the caus of God, winking and bearing with the horrible crimes manifest to all men in the persoun of the said Mr Robert, or ellis to be reputed and accompted rebellious and disobedient to your Majestie, in whose service we have been, are, and sall be, readie to shed our blood and spend our lives: beseeking your Grace we may find this grace and favour in your Majestie's sight, to keepe our conscience cleane before God, and reserve our soules to Him who hath givin us care of the soules of his inheritance. This most reasonable requeist we doubt not to obteane of your Majestie, our particular reasons being heard and considered; which we minde, by God's grace, more largelie to expone, by certan our brethrein, directed to your Majestie, both to this effect, and with a full answere to the

forsaids articles. In the meane seasoun, we beseeke your Majestie to give no credite to the sinistrous report and wrangous informatiouns of men, that by suche dealing goe about to draw your Majestie's heart from your true and faithfull subjects, and by this unhappie schisme to overthrow the kirk of God within your Grace's countrie, and, for their owne particular gaine, banish Christ and his Word; which God, of his infinite mercie, forbid, and preserve your Grace bodie and soule for ever.

"From Sanct Andrewes, the 28th of Aprile 1582."

This letter was delivered before Mr R. Montgomrie's submissioun. After the submissioun, the Assemblie gave their full power and commissioun to their lovit brethrein, Mrs James Lowsone, Johne Craig, Robert Pont, David Lindsey, Johne Brand, Johne Durie, to shew to his Hienesse that the articles sent by his Maister of Requests were weightie, and some of them obscure, and appeared captious; notthelesse, for better resolutioun, they had appointed some brethrein to confer upon them till the nixt Assemblie, which they had appointed to hold the sooner, to that effect. Farther, to deplore to his Grace, that the jurisdictioun of the kirk is, and hath beene, much hurt and prejudged; and namelie, by the letters givin out in Glasgow, discharging the presbytereis to proceed against Mr Robert Montgomrie; charges of horning used against the whole Kirk of Scotland, by the decreit and sentence of the Secreit Counsell, finding themselves judges in the actioun of Mr R. Montgomrie; missives sent to gentlemen, to assist to the placing of him in the pulpit of Glasgow, against the will of the kirk; giving of benefices *pleno jure*, and of abbaceis in heritage; and with all humilitie, due reverênce, and gentlenesse, as apperteaneth, to exhort his Majestie to the reforming heerof, and mainteaning of the jurisdiction givin by God unto his kirk, as also, to give admonitioun to the duke's Grace, the Erles of Arran and Gowrie, in the premisses; and what they doe heerin to report to the nixt Assemblie.

It was ordeaned that the particular elderships sould have a copie of the articles, that they may be the better resolved to give their advised answere at the nixt Assemblie.

ACTS.

The Assemblie charged, in the name of God, all presbytereis where they are alreadie established, and all ministers where elderships are not yitt erected, to proceed against Papists, conforme to the king's proclamatioun and acts of the Assemblie, as the said elderships will answere to God, the king's Majestie, and the Assemblie; and that the ministers failing sall underly the paines conteaned in the act made of before.

2. As the examinatioun and admissioun of ministers within this realme is, by act of parliament, ordeaned to be in the power of the kirk authorized within this realme, so it is thought that the deprivatioun of ministers is in the power of the same kirk, and these that examine and admitt ministers. Siclyke, the deprivatioun of bishops admitted since the king's coronatioun is in the power of the kirk, and these that elect, examine, and admitt bishops; and that this deprivatioun sall be als weill from the functioun in the ministrie, as from the benefice it self, and fruicts therof, wherethrough the same may be declared vacand, as if he were naturallie deid, to be confered to another. The causes of deprivatioun were judged to be these following: Heresie, Poprie, Commoun Blasphemie, Perjurie, Adulterie, Incest, Fornicatioun, Slaughter, Thift, Commoun Oppressioun, Commoun Drunkennesse, Usurie against the lawes of this realme, Non-residence, Absence from his kirk and office, by the space of fortie dayes together in a yeere, without a lawfull impediment allowed by the nixt Generall Assemblie; Pluralitie of benefices provided since the king's coronatioun, of all which he sall be denuded, except one, lying where he will astrict himself to residence; Dilapidatioun of the rents of the benefices contrare to the act of parliament; Simonie. As for the forme of the processe of deprivatioun, a libelled precept, upon fortie dayes warning, if the person compleaned upon be within the realme, or sixtie dayes if he be without, sall be directed by the kirk, and suche commissioners therof as elect and admitt ministers, to summoun him to

compeere, and answere upon the complaint; and, incace of his absence at the first summòns, that the secund be directed upon the like warning, with certificatioun, if he faile, the libell sall be admitted to probatioun, and he sall be holdin for guiltie. Yitt it sall be permitted to him after this decreit, if he thinke himself wronged thereby, to interpone appelatioun to the nixt Generall Assemblie, and to intimat the samine within ten dayes, otherwise the decreit to receave instant executioun.

3. Seing sindrie have beene thrust upon the kirk, and presented to benefices of cure, who, by reasoun of their young yeeres, and want of experience and judgment, cannot be able to discharge that high and sacred vocatioun wherunto they are called, the Assemblie ordeaneth, that in time comming none be admitted to the functioun of the ministrie, or anie benefice of cure, unlesse they be of the age of twentie-five yeeres, except suche as, for singular and rare qualiteis, sall be judged by the Generall Assemblie meet and worthie.

4. In respect of manie inconveniences and misorders fallin furth, through the ambitioun, covetousnesse, and indirect dealing of sindrie, who goe about to enter in the ministrie, and, being entered, use unlawfull meanes to declyne all correctioun and punishment for their offences, the whole Assemblie, with one consent, hath voted and concluded, conforme to the Word of God, and most godlie acts of ancient councels, that no man pretending to ecclesiasticall functioun, office, promotioun, or benefice, by anie absolut gift, collatioun, or admission by the civill magistrat or patron, by letters of horning, or whatsoever other meanes which are not established by the Word of God and acts of the Generall Assemblie, and hitherto ordinarlie used within the reformed Kirk of Scotland; and siclyke, that not being admitted to anie ecclesiasticall office or benefice, seeke anie way, by the civill power, to exeeme and withdraw themselves from the jurisdictioun of the kirk; procure, obteane, or use anie letters or charges, ather by themselves, or anie others in their name, or at their instance, to impaire, hurt, or stay the said jurisdictioun, discipline, correctioun of maners, or punishment for their offences and enormiteis; or make anie appellatioun from the Gene-

rall Assemblie, to stoppe the discipline and order of ecclesiasticall policie and jurisdictioun granted by God's Word to the office-bearers within the said kirk, under paine of excommunicatioun summarilie, and without anie processe or admonitions, to be pronounced with the judgement of the eldership, by the minister or ministers that sall be appointed by them thereto, how soone it is knowne that anie of these heeds is transgressed: and that this act be no wise prejudiciall to the presentatioun of laick patrons, till the lawes be reformed, according to God's Word.

5. Forasmuche as the Sabboth day is manie wayes profaned and violated, to the great dishonour of God, speciallie by holding of mercats, als weill in burgh as countrie, the Assemblie injoyneth everie eldership, within their owne bounds, to tak order therewith, so farre as they may by the law of God, as they will show their zeale towards God, and obedience to the Assemblie.

6. The Assemblie injoyneth everie presbyterie within their bounds to trie their ministers; and, if anie offence be found, to punishe them, according to the qualitie therof.

7. The Assemblie ordeaned the particular presbytereis to trie and examine suche as were desirous to enter in the functioun of the ministrie, and to provide suche as they find qualified to kirks.

8. The Assemblie, understanding what are the universall conspiraceis of Papists, and enemeis of God in all countreis, against Christians, for executioun of the bloodie Councell of Trent—the oppressioun and thraldome of the Kirk of God, waisting of the rents therof, without remedie, falling from our former zeale; flocking home of Papists and Jesuits; bloodshed, incest, adultereis, and other suche horrible crimes defiling the land; the danger wherin the king's Majestie standeth, through evill companie conversing about him, by whom it is to be feared he may be corrupted in maners and religioun; universall oppressioun and contempt of the poore,—ordeaneth a fast to be observed and keeped universallie in all kirks of this realme, with teaching and instructioun of the people; and that it beginne the first Sabboth of Junie nixt to come, and continue till the nixt Lord's day therafter, inclusive; the exercise of preaching used in

the meane time according to the accustomed order; and that the king's Majestie be certified heerof by the commissioners directed to him, and requested to hold hand thereto, by setting furth of proclamatiouns to that effect.

QUESTIONS.

The question being moved to the Assemblie, if the Generall Assemblie hath power to revoke whatsoever things done by them, or anie particular member of the same, to the hurt and prejudice of the kirk or not? the brethrein, after reasoning, voted to the affirmative part, that the Assemblie had power to doe the same.

ANSWERES TO CERTAN DOUBTS PROPONED CONCERNING THE PRESBYTEREIS.

In the First, that the moderator may continue from assemblie synodall to the nixt synodall; his election to be by the particular presbyterie.

Secundlie, That the number of suche that are associated to the eldership, for discipline and correction of maners, that are not pastors nor doctors, who travell not in the Word, be not in equall number with the others, but fewer; the proportioun as the necessitie of elderships craveth.

Concerning suche elders as verse not in the Word, their resort to the presbyterie sall be no farther straited, but as the weightinesse and occasioun, upon intimatioun and advertisement made by the pastors and doctors, sall require, at which time they sall give their godlie concurrence; exhorting them alwise that commodiouslie may resort, to be present at all times.

Suche of the ministrie as doe not resort to the exercise and presbyterie, sall be subject to the penaltie arbitrall to be appointed at the discretioun of everie particular presbyterie, the samine to be agreed upon the subscriptioun of everie minister therof. And if anie be found to disagree to anie good order, to be compleaned

upon to the Generall Assemblie nixt to come; and the order which everie presbyterie taketh to be sighted, and therof a good order after established for the whole.

It is thought meete that the samine day which is the day of exercise be, in like maner, the day of ecclesiasticall processe; and if the brethrein find it necessar for the haistier expedition of the processe, that they may appoint dayes, places, and times therefore, by[1] the day of exercise.

It is not thought expedient that the presbyterie be astricted to direct their moderator to the Assemblie, but[2] libertie to choose suche as they thinke most expedient for the confort of the kirk.

It is not thought meet that visitatioun be, except *e re nata*, within the bounds of the presbyterie; and the samine not to be limited to the moderator, but to suche two or moe as the presbyterie sall direct, for the necessitie of the mater, according to the Booke of Policie.

The clerk and moderator sall subscrive in grave maters, and forme of proceeding, in name of the eldership, ay and whill God provide some better contribution in everie particular kirk of the eldership, for his interteanment.[3]

The minister of the parish sall caus execute the summons concerning his parish, and beare the burthein of suche things as sall be directed from the presbyterie, or some deputed by him within his parish.

Concerning a generall order of admission to the office of elders, refereth it to the order used at Edinburgh, which we approved.

As for collatioun of benefices, and designatioun of manses and gleebs, the moderator of the presbyterie, where it is requisite: and for satisfeing the act of parliament, that they have a speciall com-

[1] Besides. [2] Without.

[3] This paragraph has been interlined, in another hand, in the original, to read thus: "The clerk and moderator sall subscrive in grave maters, and forme of proceeding, in name of the eldership; and, whill God provide some better contribution, everie particular kirk of the eldership sall provide for his interteanment, that is, the clerk's."

mission of the kirk for that effect, whill it please God to moye the king that the lawes may be better informed, providing the moderator doe nothing but by advice of the presbyterie.

It is to be proponed to the Assemblie, where there is no presbyterie, nor cannot be gottin, what order sall be of admission, of collatioun of benefice, and designations.

As for the number of kirks, how manie sall be in everie presbyterie; referres to them that have commissioun to establishe the presbytereis.

The forme of processe in weightie maters to be in writt, at the discretion of particular presbytereis, *e re nata;* in other things, verball.

For anie that will not receave office of eldership, and travelleth not in the Word, we may exhort, but not compell.

As concerning designatioun of manses and gleebs to ministers and readers, confering of benefices to persons presented thereto, and planting of ministers where no presbytereis are yitt constituted, the Assemblie giveth their full power and commissioun to their brethrein underwrittin, in the particular bounds after specified, to plant and inputt pastors and preachers of the Word of God, designe manses and gleebs, give and conferre benefices, according to the order observed within the kirk; and to doe, exerce, and use suche other things as were givin of before in commissioun to visiters of countreis theranent, whill the erectioun of the said presbytereis, betuixt and the nixt Assemblie; viz. for Cathnesse and Sutherland, Mr George Hay; for Rosse, Mr Thomas Howesone; for Murrey, the Parson of Duffus; for Aberdeen and Bamff, Mr George Patersone; for the west end of Fife, David Fergusone; for Tiviotdaill, the Moderator of Melrose; for Galloway, Johne Duncansone; for Nithisdaill, Mr James Bryson.

Mr Craig was appointed to sett doun an order for collecting of the acts of the Assemblie, betuixt and the nixt Assemblie.

The nixt Assemblie was indicted to be holdin at Edinburgh the 24th day of October, unlesse some necessar occasioun occurred in the meane time; and in that cace the eldership of Edinburgh, and the king's ministers, were injoyned to give advertisement.

THE COMMISSIONERS OF THE ASSEMBLIE HARDLIE USED.

Upon the nynth of May, the commissioners of the Assemblie went to Kinneill to the king, who heard them courteuslie. But Lennox and Arran fell out in outragious words against them. The duke hardlie conteaned himself from giving the lee twise to Mr David Lindsey and Mr Robert Pont. Arran called Johne Durie a knave, and said, he sould order him weill aneugh.

SEIGNEUR PAUL SENT FROM THE DUKE OF GUISE.

Upon the tenth of May, Seigneur Paul, an Italian, landed at Leith, sent from the Duke of Guise to the king with some horses. Yitt, in the meane time, was the Duke of Guise practising with some fugitive Englishmen, for releefe of the king's mother out of prison. This Seigneur Paul was a famous murtherer at the Massacre of Parise.

MR R. MONTGOMRIE SEEKING LETTERS ACCORDING TO HIS GIFT DISAPPOINTED.

Mr R. Montgomrie, notwithstanding of his submissioun made in the Assemblie, followed the duke, and taught before him, notwithstanding of his suspension. Mr Johne Davidsone went to Dalkeith to conferre with him; but he was disappointed; for he understood by his oast, that he was so drunken that he was chassing his servants with a drawin whinger. Upon the 22d day of May, Mr Thomas Smetoun and Mr Thomas Jacke came to Edinburgh, to informe the presbyterie that Mr R. Montgomrie had transgressed the act, and craved that he might be excommunicated. They refused, till he were orderlie called and convicted, according to the act of the Assemblie, wherupon summons were directed, to summoun him upon Saturday therafter. But the belman of Dalkeith, officer to the letters, was cast in prison at the duke's command.

Mr R. Montgomrie, contrare to his promise, sought letters conforme to his gift, givin *pleno jure*. The ministers of Edinburgh, and Mrs David Lindsey, Robert Pont, Nicoll Dagleish, compeering in name of the kirk, with Mr Johne Sharpe, Mr Thomas Craig, Mr Alexander Sim, advocats, assisted with the rest of the younger advocats, withstood, onlie Mr David Makgill opponing himself in the contrare, as procurator for Mr R. Montgomrie. The king sent a discharge to admitt anie in the kirk's name, for their entreisse; but the lords admitted them, and gave an interlocutor in their favours. They consult with their advocats what to alledge the day following. It was answered, First, His inabilitie for suche an office; Secundlie, His renounciatioun before the Assemblie, subscrived with his hand, never to enter nor proceed in that mater, without advice of the Assemblie; Thridlie, That the act of parliament giveth commissioun to superintendents or commissioners to give collatioun, and not to the king and counsell. As for the acts of the Assemblie, which were not yitt ratified by lawes, they could not alledge them. When they looked to be called upon the day following, the president was sent for.

J. DURIE CHARGED TO REMOVE OUT OF EDINBURGH.

Mr James Lowsone and Johne Durie were summoned to compeere at Dalkeith the 30th day of May. Johne Durie called the duke and Arran abusers of the king, in his sermon, upon Wedinsday the 23d of May. When he came to Dalkeith castell, the duke's cookes came out of the kitchin with speates and great knives to invade him; but they were restrained. Johne Durie was charged to remove out of Edinburgh, and not to returne during the king's will. A charge was sent to the proveist and bailiffes to remove him. The counsell of the toun, and deacons of the crafts, conveened in the Counsel-hous. It was concluded by the greatest number, to the great greefe of sindrie, that he sould give place. He obeyed, after he had protested that there was no just caus offered on his part. The Presbyterie of Edinburgh had justified all that

he had said in the pulpit that day. So he departed out of Edinburgh upon Saturday the secund of June.

THE DECREIT OF THE PRESBYTERIE OF GLASGOW AGAINST MR R. MONTGOMRIE.

Upon the eight of June, the Presbyterie of Glasgow was summouned before the Secreit Counsell. When they were sitting in the presbyterie, to give a decreit against Mr R. Montgomrie, the Laird of Minto, proveist of the toun, accompanied with the bailiffe, Coline Campbell, and a number of the citicens, came in, and discharged them to proceed, having nather power nor commissioun, publict nor privat, which they would show. Becaus they refused, they putt violent hand in the moderator, Mr Johne Howesone, smote him on the face, pulled him by the beard, beated out one of his teeth, and then putt him in the tolbuith. He stayed three or foure dayes, and would not come furth, howbeit requested, untill the caus were tried wherefore he was committed. Yitt at lenth, at the desire of the brethrein, he came furth. The schollers were so commoved that they entered in combat with some of these that had done the injurie. Some of them were hurt. Notwithstanding of all this stirre the decreit was givin furth, and sent to Edinburgh.

MR R. MONTGOMRIE EXCOMMUNICATED.

The Presbyterie of Edinburgh conveened upon Saturday, the nynth of June, as they were injoyned by the act of the Generall Assemblie. Mr Johne Davidsone was appointed, by commoun consent, to pronounce the sentence of excommunicatioun the day following, in the kirk of Libberton, where he was minister for the time; which he did willinglie, howbeit he had been a cheef instrument to stay the Assemblie from excommunicating him, upon hope of amendiment. So Mr R. Montgomrie was excommunicated in the kirk of Libberton, upon the Lord's day, the tenth of June.

Upon Wedinsday the 13th, Mr Walter made intimatioun of his excommunicatioun in the pulpit of Edinburgh. Intimatioun was made the Lord's day following in the most part of the kirks of the south, and in Glasgow, notwithstanding the charge givin, to pull him out of the pulpit who sould make the intimatioun. Mr Johne Davidsone taught in Libberton kirk the same day, nothing affrayed. The duke called him "*Un petit diable.*"

Upon Tuisday, the 26th of June, the Erle of Gowrie was summouned to compeere before the Presbyterie of Edinburgh, for making a banket to the Italian and some others in time of the fast, and for receaving of Mr R. Montgomrie in his house, the 20th day of June. He confessed his offence.

THE FORTIE-FYFT GENERALL ASSEMBLIE.

An extraordinarie Assemblie was holdin at Edinburgh, in the New Kirk, the 27th of June. Mr Andrew Melvill was continued moderator. In his sermoun, he inveyghed against the bloodie guillie[1] (so he termed it) of absolute authoritie, whereby men intended to pull the crown off Christ's head, and to wring the scepter out of his hand. He shew also, how the dimission of the king's authoritie to his mother had been in working these seven or eight yeeres. The cheefe workers were, Beton, Bishop of Glasgow, and Leslie, Bishop of Rosse, who had writtin tuiching the same mater to the queene; and in his booke, had drawin the pourtrature of a queene, and of a young childe twelve yeere old sitting at her feete; and she stretching furth her hands toward him, pointing to his fore fathers, to follow their example in religioun and life; "thinking," sayeth he, "to make all null that was done under his raigne."

J. DURIE, BEING CHARGED, DEPARTETH FROM EDINBURGH.

Johne Durie, being secreitlie in his owne hous, was charged by David Bryson, macer, to passe off the toun, under the paine of

[1] Knife.

disobedience; and to absteane from preaching, in respect he had confessed a fault before the counsell, and had submitted himself to them, as they alledged. The proveist and bailliffes were commanded, after the same maner, to see this charge putt in executioun. After that Mr Andrew Melvill had ended his exhortatioun, Johne Durie craved the advice of the Assemblie. He had a large discourse of all the proceedings of the king and counsell against him, and against Mr James Lowsone, Mr Walter Balcalquall, and Mr David Lindsey; speciallie what was done by himself. The alledged submissioun he affirmed to be false. His affirmatioun was justified by Mr James and Mr David. The mater was remitted to the moderator and his assessors to advise upon. It was thought meete that David Fergusone and Mr Thomas Buchanan sould be sent to the king, to understand his minde therin; to crave of his Hienesse the promise made to certan brethrein concerning him, to be performed; and to lament the cace of their brethrein of the Presbyterie of Glasgow, who were charged to compeere before the counsell at Sanct Johnston. When they were gone out at the doore, Mr Johne Davidsone said, "I disassent from their going: for," said he, "why sould yee seeke reposing[1] of Johne Durie from him who hath no power of displacing, howbeit his flocke foolishlie and godleslie yeelded? What flesh may, or sould displace the Great King's ambassader, he keeping the bounds of his commissioun?" The moderator himself desired him to moderat his zeale. "Nixt," said he, "I would not seeke to stay the compeerance of the brethrein at Perth, seing we have a number of the faithfull professors in the land, as the cruell murtherers sall not be able to harme them:" and putt them in remembrance of the like practise, in the beginning of religioun, in the same toun. And with this he departed in a great anger, perceaving nothing but a sillie yeelding.

After this came in the proveist, bailliffes, and some of the counsell of Edinburgh, to crave the advice of the Assemblie, tuiching their obedience to the king's charge. The moderator asked,

[1] Replacing.

Whether they craved advice, so farre as concerned conscience, or otherwise? They answered, They were fullie resolved of their conscience. Then, said the moderator, they could not meddle with it, so farre as it was civill. The heate so increassed betuixt them, that Mr Andrew had need of the admonition he gave a little before to Mr Johne Davidsone. Alwise, the brethrein appointed six of their number to concurre with suche as the counsell would depute, and to confer upon that mater. Howbeit some of the brethrein desired that the proveist and bailliffes would superseed their charge till the commissioners of the Assemblie returned from Stirline, yitt they prevented the time. It was concluded by the most part of the counsell and sessioun, upon the 28th day, that Johne Durie sould depart quietlie, and if he refused, he sould be charged, as the king had commanded. Johne Durie informed the Assemblie, in their thrid sessioun, that certane brethrein directed from the counsell of the toun, moved, as appeared to him, of good affectioun, have desired him, for avoiding of the danger that may fall upon his flocke, to withdraw himself privatlie out of the toun, and to absent himself for a space. Becaus his departure might be prejudiciall to the commoun caus, and the maner of privie departure might carie a shew of some guiltinesse, he craved their judgement; and, farther, that the brethrein would give him a testimonie, that he travelled faithfullie in his calling, that no fault hath beene found with him in his doctrine or in his life; and if it please God he be compelled to remove, that he have libertie to preache the Evangell ellis where, where God sall offer occasioun. The brethrein thought it not meete that he sould withdraw himself off the toun privatlie, but to abide the charge, which was to be givin by the provest and bailliffes. As for his doctrine and life, the Assemblie acknowledged his doctrine to be sound and wholsome, his life and conversatioun to be upright and honest, and gave him libertie, incace of his removing, to preache the Gospell wheresoever God sould offer occasioun. The same day, the 28th of June, because Johne Durie would not withdraw himself quietlie, he was charged by the proveist and bailliffes to passe off the toun. He

resolved to obey, fearing some tumult if he refused. So, upon Thursday, at nyne houres, after supper, he went to the mercat croce, accompanied with manie of the brethrein. There he tooke instruments in the hands of Johne Johnston and George Gibson, scribes, First, tuiching his honest conversatioun and sound doctrine; Nixt, that the narrative of the charge, bearing his simple submissioun to the king and counsell in all things, was false; Thridlie, that he would preache the Word wheresoever he sould have occasioun, as the Generall Assemblie had allowed him libertie, notwithstanding he was discharged by the king's letters to preache, als weill as to stay in Edinburgh. Mr Johne Davidsone desired likewise an instrument upon his protestatioun, which was this; that as that was the most sorrowfull sight to Edinburgh that ever he saw, in that they had removed their pastor speeking the truthe, for pleasure of fleshe and blood, so the plague and fearefull judgements of God sould light upon the devisers, inventers, and procurers, actors, authors, consenters, and rejoicers, at the banishement of Christ in that man's person, except they speedilie repented. The people standing throng about them, was muche moved. After this, Johne Durie went furth at the Neather Bow. The king's charge prescrived no time nor bounds but the toun; yitt they charged him, that same night betweén eight and nyne, not onlie out of the toun, but also out of all the freedome of the toun.

THE PROCESSE AGAINST MINTO AND HIS COMPLICES SUPERSEEDED.

These who had used violence against Mr Johne Howesone, Moderator of the Presbyterie of Glasgow, were summouned to compeere before this Assemblie. They were called upon. None compeered except one, who denied he had anie part in that actioun. Mr Johne Davidsone, Minister of Hammiltoun, Mr Andrew Knox, and some other brethrein, were taikin, swporne, receaved, and admitted witnesses; and were injoyned by the Assemblie to depone before the moderator and his assessors what they knew. Johne Duncansone presented the king's letter, wherin he required that

caus to be handled before the counsell. The same night, about midnight, David Fergusone and Mr Thomas Buchanan returned from the king. The day following, they declared what was his answere: to the First, that when the duke came to Stirline, lett them send some brethren, and it sould be considered; that is, Johne Durie's caus. To the Secund, He would not be farre from superseeding the compeerance of the ministers of Glasgow presbyterie at Sanct Johnstoun, provyding no processe be led against the Laird of Minto and his complices. Farther, they reported, that the king was muche offended for Johne Durie's comming to the toun without his licence. It was answered, that the king had willed him to absent himself but for nyne or tenne dayes, and yitt he absented himself foure dayes longer; and when he returned, he returned privatlie, to visite his wife, who, not long since, was delivered of a childe. That the king was offended at the publict rebooke of noblemen, without privat admonitioun preceeding; that it was answered by David Fergussone, that publict faults sould be publictlie rebooked. "As for exemple," said he, "the duke mainteanneth, openlie, an excommunicated person." But the king replied, "We are not yitt agreed upon that excommunication," etc., and fell out in a passioun at the minister who excommunicat him, stammering upon his name. Howbeit, after due triell and examinatioun, the Laird of Minto and his complices their offence was verified, and found worthie to be punished with excommunication; notthelesse, at the king's requeist, the Assemblie continued the pronouncing of anie sentence against them to the 6th day of Julie nixt to come; to which time his Majestie offered to superseed the brethrein of Glasgow, and, on which day, the nobilitie was to conveene at Perth; granting and committing full power to the commissioners directed by the Assemblie to the king's Majestie, his counsell, and conventioun, incace they find no remedie and redresse, to proceed betuixt the sixt day and the 24th of the same moneth, or sooner, at their discretion, and pronounce sentence in the said caus; and to appoint speciall persons for executioun, as they will answere to the Assemblie. And as for Johne Durie his place, the Assemblie

inhibited the kirk and presbyterie of Edinburgh to displace him, or to admitt anie other in his place; and inhibited all ministers, and all that aspire to the ministrie, to usurpe or take his place whill the Generall Assemblie be farther advised, except it be to helpe the ministers of Edinburgh, at their desire; and incase anie sall be chosin, decerneth the said electioun to be null, void, and of no effect.

COMMISSION TO PROCEID AGAINST THE DUKE, IN CACE, &c.

Some brethrein were directed to the duke, to informe him, what a great slander it was to interteane an excommunicat person; what was concluded by the acts of the Assemblie against these who interteaned excommunicat persons; to desire him earnestlie to remove him out of his companie; and to admonishe him, if he continue disobedient, the Assemblie will proceed according to their acts. He answered, first, *Interrogate*, whether the kirk or the king were superiors? and therafter that he had command of the king and his counsell to interteane him; and whill he were contramanded by him, he would not remove him. The Assemblie having considered his answere, ordeaned the brethrein of the ministrie directed in commissioun to Perth, as they see occasioun there, and the offence in interteaning the said Mr Robert not remedied, to appoint some speciall men, to proceed farther against him with the censures of the kirk, according to the acts of the Generall Assemblie, to whom the brethrein giveth their full power to that effect.

The Assemblie giveth full power and commissioun to Johne Areskine of Dun, the ministers of the king's hous, Mrs Robert Pont, James Lowsone, Andrew Melvill, Thomas Smeton, David Lindsey, Andrew Hay, Andrew Polwart, Peter Blekburne, Patrik Galloway, William Christesone, James Melvill, Thomas Buchanan, Patrick Gillespie, Johne Porterfield, David Fergusone, and Johne Brand, to present to his Highnesse and nobilitie which are to conveene at Perth the sixt day of Julie nixt, their Greeves delivered to them in writt; and to crave, in the name and feare of the Eternall God, remedie; and, if need be, to conferre and reasoun upon the same, and to report to the nixt Assemblie.

THE TENOR OF THE GREEVANCES OF THE ASSEMBLIE.

"Unto your Majestie most humblie meanes and showes your Grace's faithfull and obedient subjects, the Ministers of God's Word within your Grace's realme, conveened in the Generall Assemblie, holdin at Edinburgh the 27th day of June: That where, upon the occasioun of diverse great and evident dangers appearand to the whole kirk of God, and professours of his true religioun in this countrie, finding the authoritie of the kirk abrogated, the censures therof contemned, and violence used against some of our brethrein, without punishment therof, the like hath nather beene seene in this realme, nor anie other, where the truthe of the Gospell hath beene preached and receaved: And fearing least your Majestie, for laike of information, might neglect in time to provide remedie for the inconveniences likelie to ensue therupon, we conveened our selves, in the feare of God, and your Hienesse' obedience; and, after diligent consideration of this present estate of the kirk, and enormiteis fallin furth in the same, with commoun consent, thought necessar, by our commissioners, to present and open to your Grace certan of our cheef and weghtie Greeves. Without hastie redresse, the kirk of God and true religioun can no wise stand, and continue in this your Grace's countrie.

"First, That your Majestie, by device of some counsellers, is caused to tak upon your Grace that spirituall power and authoritie which properlie belongeth to Christ, as onlie King and Head of his kirk. The ministrie and executioun therof is onlie givin to suche as beare office in the ecclesiasticall governement of the same. So that, in your Grace's person, some men preasse to erect a new Popedome, as though your Majestie could not be free king and head of this commoun wealth, unlesse als weill the spirituall as the temporall sword be putt in your Grace's hand; unlesse Christ be bereft of his authoritie, and the two jurisdictions confounded which God hath divided: Which directlie tendeth to the wracke of all true religioun, as by the speciall heeds following is manifest:—

"1. For benefices are givin by absolut power to unworthie per-

sons intrused in the office of the ministrie, without the kirk's admissioun, directlie against the law of God and acts of Parliament, wherethrough the kirk livings come in profane men's hands, and others, that sell their soules and make shipwracke of their conscience, for pleasure of men, and obteaning some worldlie commoditie.

" 2. Elderships, Synodall and Generall Assembleis, are discharged by letters of horning to proceed against manifest offenders, and to use the discipline of the kirk and censures therof, according to God's Word.

" 3. Johne Durie, by act of counsell, is suspended from preaching, and for the same caus banished from his flocke.

" 4. Excommunicated persouns, in contempt of God and his kirk, are mainteaned in cheefe lords' houses, namelie, Mr Robert Mongomrie; authorized and caused to preache, and brought in your Majestie's presence; which is a sore wound to the consciences of them that love your Majestie, and know your Grace's upbringing, and a heavie slander in all natiouns professing the true religioun.

" 5. An act or deliverance of counsell is made against the proceedings of the ministrie, with a slanderous narrative, suspending *simpliciter*, and disannulling the excommunicatioun justlie and orderlie pronounced against Mr R. Montgomrie, a rebellious and obstinat offender, and troubler of the kirk of God, and open proclamations made according thereto.

" 6. Contempt of ministers, and dinging of manie doing their offices; and speciallie, the violent drawing of Mr Johne Howesone out of the judgement seate, where he was placed moderator of the presbyterie; his cruell and outrageous handling, careing to prison, like a theefe, by the proveist and bailliffes of Glasgow and their complices; and after complaint made, no order takin with the doers therof, but contrariewise, interteaning them, as if the same had beene good service.

" 7. Displacing of the minister of Glasgow out of his rowme, which, without reproche, he hath occupied thir manie yeeres, and provocatioun of the gentlemen of the countrie to the effect.

"8. Violence used by one of your Grace's owne guarde, to pull him out of the pulpit, the day of the communioun, in presence of the whole congregatioun, in time of sermoun, and no fault found therewith.

"9. The officer of the kirk was cast in prisson, in your Grace's presence, and there keeped a long time, for executioun of letters directed against a particular slanderous man.

"10. Ministers, maisters of colledges, and schollers of Glasgow, in time of publict fast, were, by letters of horning, compelled to leave their flockes and schooles destituted; and sensyne, from time to time, and frome place to place, have beene delayed and continued; thereby to consume them by exorbitant expences, and to wracke the kirks and schooles wherof they bare rule and charge.

"11. The schollers of Glasgow were invaded, and their blood cruellie shed, by the bailliffes and commountie, gathered by sound of the commoun bell and stroke of the drum; and by certan seditious men inflammed to have slain all, and to have burnt the colledge; and yitt nothing done or said to the authors of that seditioun.

"12. Hands shaikin with the bloodie murtherers and persecuters of the people of God, by propyns receaved and givin.

"13. The duke's Grace oft times promised to reforme his hous, and nothing done therin.

"14. The lawes made for maintenance of the true religioun, and punishment of the enemeis therof, are not putt to executioun, so that all things goe loose, and worse like to ensue.

"Manie other things there be that crave present reformatioun, wherewith, notwithstanding, we thinke not expedient to trouble your Majestie, until we see what order be taikin with these greevous complaints.

"Beseeking your Grace most humblie, for the love of God, who hath placed your Grace in this royall throne, and hitherto wonderfullie mainteaned and defended your authoritie, carefullie to looke upon thir maters, as becometh the lieutenant of God and a Christian king: And, with the advice of them that feare God, and tender your Grace's estate and quietnesse of this commoun wealth, so to

redresse the premisses, that, first, Christ above all be acknowledged, his messingers, without feare or steppe, suffered to execute their office, the course of the Gospell advanced; and, by the exemple of the worthie punishment of them who so licentiouslie and contemptuouslie have wronged and injured ministers and professors of God's Word, that others heerafter be affrayed to interprise the like."

Upon Moonday the secund of Julie, Mr R. Montgomrie was proclamed openlie, at the Croce of Edinburgh, Bishop of Glasgow, and his excommunication declared null.

The commissioners directed from the Generall Assemblie to Perth, with the Greevances of the Assemblie, repaired to Perth the sixt of Julie. They gott no good countenance. Sir James Melvill of Halhill counselled Mr Andrew Melvill to depart secreitlie out of the toun, becaus the king was offended with that he had said in the Assemblie, and in his sermons at St Andrewes. But he was not so easilie terrified. The Greeves and Articles being delivered and read, Arran, with a throwne countenance, and in boasting maner, said, "Who darre subscrive these treasonable articles?" &c. Mr Andrew answered, "We darre; and will subscrive them, and rander our lives in the caus." With this, he taketh the penne from the clerk, and subscriveth, and calleth couragiouslie upon the rest to subscrive, which they did. The duke and Arran, perceaving their boldnesse, became affrayed, suspecting they had some secreit assistance. After some calmer language, they were dismissed in peace.

THE PRESBYTERIE OF GLASGOW AND EDINBURGH CHARGED.

Upon Moonday the 16th, the duke was purged, by open proclamatioun, of defectioun from religioun, and suche as slaundered him were blamed.[1] The brethrein of Glasgow were charged to deliver the copie of their whole proceedings against Mr R. Montgomrie within three dayes, and siclyke the presbyterie of Edinburgh. But

[1] For a copy of this proclamation, see Appendix, letter F.

the presbyterie of Edinburgh, after it was tried that the letters were counterfooted, suspended his charge.

DISCORD BETUIXT LENNOX AND GOWRIE.

A discord ariseth betuixt the Erle of Gowrie and the Duke of Lennox. The originall of their discord was this which followeth: The erle procured the colonellship of Tiviotdaill to the Laird of Traquar's brother. The duke obteaned another presentation to Charles Geddesse, and desired the Erle of Gowrie, Treasurer, to subscrive it. The erle shifted, and at last refused, and said, Traquare had made good service to the king. The duke layed to his charge the misspending of the king's patrimonie, oppressing the king's subjects, taking in muche, but applying little to the king's use, and said, "*Va, pultron!*" The erle said he was als true and faithfull a subject, and had made als good service to the king as anie of his ranke within the realme; and that this realme could not suffer two kings. The duke upbraided Tullibardin with the like language. He offerred to prove his service to have beene upright, against any under the king, Scotishman or Frenche, hand for hand, two, three, fourtie, or an hundreth. The duke was accompanied with Huntlie in the streets; Gowrie was accompanied by Atholl, Tullibardin, and others of the toun of Perth. The duke was faine to keepe his loodging. The Erle of Marshall and Maister (of) Glames departed off the toun malcontents. When the Commendatare of Dumfermline was at the port, in his journey, the duke sent for him. He answered, he knew the king's minde weill eneugh: he had takin leave of the king, and knew no other king; and so departed. The duke had layed this plott, that unlesse Glencarne, Boyd, Barganie, Marr, the Abbots of Cambuskenneth and Dryburgh, William Dowglas of Lochlevin, Lord Lindsey, Maister of Glames, and the Commendatar of Dumfermline, who were suspected to favour the Dowglasses, were putt out of the way, there was no suretie for him and his; and unlesse Mr James Lowsone, Mr David Lindsey, Mr Andrew Hay, Mr Thomas Smeton, Mr

Andrew Polwart, Mr Andrew Melvill, were wairded in sindrie places beyond Spey.

MR R. MONTGOMRIE EXPELLED OUT OF EDINBURGH.

Upon Wednisday the 25th of Julie, Mr James Lowsone went in to the counsell of the toun, to informe them that Mr R. Montgomrie shewed himself publictlie in their streets. The magistrats discharged him the toun by their officers. When he was out at the port, he said they sould see another thing within halfe an houre. Letters were proclamed at twelve houres, at the Croce of Edinburgh, in his favours, declaring him to be a good Christian and true subject, notwithstanding of the pretended excommunicatioun, and charging everie man so to accept of him. Immediatlie after the proclamation he returned to the toun. The counsell, with the greatest part of the merchants and craftsmen, assembled upon Thursday earelie in the morning, and consulted whill ten houres. Alexander Clerk, proveist, was loath to putt him out of the toun, in respect of the proclamatioun. Johne Adamsone said he had no scruple to putt out Johne Durie, what danger soever ensued; and yitt he made a scruple to putt out a false, mansworne, excommunicat knave, perturber both of kirk and commoun weale. Mr James Lowsone being sent for, said the like; and farther, that unlesse he were expelled, he sould take his leave in the pulpit the morne; which moved the proveist to consent with the rest. Mr R. Montgomrie was gone to the Tolbuith, but was not suffered to enter within the utter barre. When he would have takin instruments, that that libertie was denied, having the king's letters upon him for his warrant, all that stood about him fled from him, and the pokebearers began to crie, "Aha, carle, hoy away!" Arran, sitting in judgement beside the lords, desired that he might have accesse, according to the king's licence. The lords answered, it was contrarie to the king's lawes that he sould stand or persue in judgement. The magistrats and officers came to the Tolbuith, to remove him out of the toun. The people were waiting for his comming furth;

craftsmen with battons, wives and boyes with stones and rottin eggs. If he had not beene convoyed by the proveist doun the Kirk Wynde, he had hardlie escaped danger of his life. The people cried after him, "False theefe! mansworne theefe!" So he went out at the Potterraw Port to Dalkeith. When the king heard of it, he lay doun on the Inche of Perth, not able to conteane himself for laughter, and said he was a seditious lowne; and if he understood the deduction of the processe, he sould never acknowledge him more. After Bishop Montgomrie was expelled out of Edinburgh, the Duke of Lennox procured that Mr Patrik Galloway, minister at Perth, sould be discharged the pulpit and toun of Perth, so long as the king was in the toun. But he said he would not remove till his flocke removed him, and would present himself to the pulpit till they discharged him. He removed to Kinnowle.

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BOTHWELL ARIVETH AT LEITH.

Upon Fryday, the 27th, Francis Stewart, Erle Bothwell, arived at Newhaven, beside Leith. James Colvill of Easter Wemes, who came in companie with him, brought letters from the King of Navarr and Prince of Condie to the king. He assured the ministers of Edinburgh, that the Bishops of Glasgow and Rosse, and the Duke of Gwise, had considered the Duke of Lennox his sute, which was, to have 500 men to occupie the strenths of Scotland: that the Duke of Gwise had riddin post to court, to solist the King of France to dispatche them with necessarie provisioun: that if the king refused, he would provide the meanes himself. The thrid day after, Bothwell being weill informed of the estat both of kirk and countrie, by the ministers of Edinburgh, went to court to the king, but stayed not. The duke spake kindlie to him whill he was there, promising, if he would attempt anie thing against the Lord Lindsey, and the Goodman of Manderston, that he sould want no assistance he might make him. He promised to find law eneugh to caus them both want the head, and then he sould have the ab-

baceis of Hadinton and Coldinghame for his paines, beside the rest of their patrimonie, if their heyres would not be content. The other answered, he had intentioun to meddle with Manderston, but was never wronged by the other. The duke and Arran, forseing that Bothwell might be moved by the perswasioun of his ladie, the Erle of Angus' sister, to favour the Dowglasses, used all the meanes they could to sow discord betuixt them, by raising slanders upon her.

THE DUKE'S PREPARATION FOR A CHAMBERLAN AIR.

The king road out of Perth to Atholl. The duke came to Dalkeith upon the 4th of August. Upon Moonday the 6th of August, a chamberlan court or air was proclamed, to be holdin the 27th of August. Sindrie of the brethrein of Glasgow were summouned to this air, for whom no releefe under suretie could be had, notwithstanding of suspensioun givin by the Lords of Sessioun. There was, at this time, appearance of great contention betwixt the merchants and craftsmen of Edinburgh. The crafts would have had twelve craftsmen to be upon the toun counsell, two to be bailiffes, one to be treasurer, or deane of guild. The duke tooke the defence of the merchants, Arran of the craftsmen, and fostered the variance till the chamberlan air had takin effect, but caired not howbeit they had cutted others' throats, after they had done their turne. The merchants road to Dalkeith to solist the duke. Three hundreth of the crafts followed after, and offered their band of manreid to him, if the king would allow of it. The duke prepared forces against the time of the air. William Stewart of Uchiltrie sould have had a great number of armed men under his charge. They were levying also men in Edinburgh. The duke's purpose was, as was disclosed afterward, to have brought in to Edinburgh upon Moonday, the 27th of August, Maxwell, Livingston, Seton, Hereis, Captan Crawfurd, Hume, Scot, Newbottle, Phairnihirst, &c. with their forces, and first possesse the ports and the calsey, and to charge that no citicen sould be seene in the streets, but suche

as were either sent for by the chamberlan's officer, or were summouned upon the assises or pannell; to have sett a thowsand pund upon the poll of everie one of fortie burgesses, to have hanged other fortie, to have drowned some weomen, to have used the ministers as the bishop was used, or to have done worse. His intention may appeare in part by this commissioun following, dated at Perth the secund of August:—

"REX.

"Chamberlane and Justice, constituted by our commissioun for administration within our burrowes, We greit you weill. Forasmuche as among other offences belonging to your judgement and jurisdictioun, nothing is more displeasant to us, nor requires to be more severelie punished, nor the expresse violation of our commandements, by way of seditioun and popular commotioun, instigated and stirred up by others nor the authors, as was this late attemptat in Edinburgh, against the Archbishop of Glasgow, greatlie to our contempt, wherof we cannot omitt speciallie to remember of that mater in particular: Willing and commanding you, as yee love our honour, and obedience of our authoritie, that yee faile not to caus that mater be diligentlie inquired of, als weill against the authors as stirrers up and movers of the said seditioun; and see them dulie punished therefore, for eshewing of the like disobedience in time comming, seing ignorance in this behalfe can no wise be pretended, seing our proclamatioun in that preceeded the same. And it is one of the first manifest contempts that we have receaved, since we entered to the administratioun of the effaires of our crowne, and so must esteeme our owne earand, as we would yee sould regarde it. Subscrived with our hand, at Perth, the 2d of August 1582, and of our raigne the 16th yeere."

(*Sic subscribitur*) "JAMES R.

"ARRAN. GOWRIE."

THE ROAD OF RUTHVEN.

Upon Wednisday, the 22d of August, after the king had returned from hunting in Atholl, to Perth, the Erle of Marr, Gowrie, the Master of Glames, the Maister of Oliphant, young Lochlevin, the Laird of Cleish, the Laird of Easter Wemes, Sir Lewes Bellendine, Justice-Clerk, the Lord Boyd, the Lord Lindsey, the Abbot of Dumfermline, Secretar, the Abbots of Cambuskenneth, Dryburgh, and Paisley, the Pryour of Pittenweeme, the Constable of Dundie, came to him to Perth and invited him, or, as others report, tooke him unwilling, when he was comming out of Perth, to Ruthven Castell, removing suche as favoured Lennox and Arran. Others report that Lindsey, the Justice-Clerk, the Master of Glames, the Proveist of Dundie, were not there at the beginning of the interprise; but being written for, came afterward. The Erle of Arran being in Kinneill, when he had heard of the repaire of some lords and confederats to Perth, taketh journey to the king. The Erle of Marr, fearing their purpose had beene disclosed, prepareth sixtie horse, and went to Kinrosse, the 22d of August, to ly in his way. Arran, perceaving that Marr was in his way, taketh two with himself, and sendeth the rest of his companie with his brother, William Stewart. The two companeis joyned together neere Perth. William Stewart, Arran's brother, was hurt, and mutilated of two fingers; the rest chassed and taikin. Arran cometh to Ruthven Castell; was desirous to see the king. Not onlie was that denied, but he apprehended, and putt in a closse chamber, and after transported to Dupline.

THE FORME OF THE SUPPLICATION GIVIN IN, AND PRESENTED TO THE KING'S MAJESTIE, THE 23D OF AUGUST 1582.

"It may seeme strange unto your Hienesse that we, your Majestie's most humble and obedient subjects, are heere conveened by[1]

[1] Beyond.

your Hienesse' expectatioun: But after your Grace hath heard the urgent occasions that have preassed us therunto, your Majestie will not mervell at this our honest, lawfull, necessar, and most godlie interprise. Sir, for the dutifull reverence and obedience we owe to your Hienesse, and for that we ever abhorred to attempt anie thing might seeme displeasant to your Excellencie, we have suffered now about the space of two yeeres suche false accusations, calumneis, oppressions and persecutions, by the moyen of the Duke of Lennox, and him who is called Erle of Arran, that the like of their insolenceis and enormiteis were never heertofore borne with in Scotland. Which wrongs, albeit they were most intolerable, yitt for that they onlie tuiched us in particular, we comported them patientlie, ever attending when your Hienesse sould putt remeed thereto.

"But now, seing the persons forsaid have entered plainlie to trouble the whole bodie of this commoun wealth, als weill ministers of the blessed Evangell, as the true professors therof; but in speciall, that number of noblemen, barons, burgesses, and communitie, that did most worthilie in your Hienesse' service during your youth; whom principallie and onlie they molest, and against whom onlie they use most rigour and extremitie of lawes, acts, practicks, for greater vindicatioun, so that a part of these your best subjects is exiled, another part tormented, putt to questions, and with partialitie executed; and if anie escape their barbarous furie, yitt have no accesse to your Majestie, but are falselie calumniated, minassed, debarred your presence, and holdin out of your favour; Papists, and the most notable murtherers of your father and regents, are daylie called home, restored to their former honours and heretages, and often times highlie rewarded with offices, rowmes, and possessions of your most faithfull servants. Finallie, Sir, your estat royall is not governed by the counsell of your nobilitie, as your most worthie progenitors used to doe, but at the pleasure of the persons foresaid, who interprised nothing, but as they receaved directions from the Bishops of Glasgow and Rosse, your denounced rebells; having with them adjoyned in their ordinarie counsells, the Pop's nuncioes, the ambassaders of Spaine, and suche others

of the catholick Papists in France, as ever laboured to subvert the true religioun, to spoile you of your crowne. With these forefaulted persons, and with your mother, without advice of your estats, they travelled to caus your Majestie negotiat and traffique, perswading your Hienesse to be reconciled with her, and to associat her conjunctlie with you in your authoritie: Thridlie, meaning nothing but to convict them of usurpatioun, conspiracie, and treasoun, that served your Hienesse most faithfullie in your youth. And so, having these your best subjects out of the way, who, with defence of your innocencie, mainteaned the puritie of religioun, as two actions united and unseparable, what ellis could have ensued and followed but the wracke both of the one and the other?

"For conclusioun, by their practises, the whole countrie (for which, Sir, yee must give accompt to our Eternall God, becaus we must be answerable to your Excellencie) is so perturbed, altered, and putt out of frame, that the true religioun, the commoun weale, your crowne, estat, and person, is in no lesse danger than when yee were delivered furth of the hands of the murtherer of your father. Sir, beholding these dangers to be imminent and at hand, without speedie helpe, and seing your most noble person is in suche hazard, the preservatioun wherof is more pretious to us than our owne lives; seing also no appearance that your Majestie was forewarned therof, but like to perishe before yee could perceave perrell, we thought we could not be answerable to God, nather be faithfull subjects to your Hienesse, if, after our abilitie, we prevented not thir pitifull disasters, and preserved your Majestie from the same. For this effect, with all duetifull humilitie and obedience, we, your Majestie's true subjects, are heere conveened; desiring your Majestie, in the name of the Eternall God, and for the love yee beare to his true religioun, your countrie and subjects, that as yee would the tranquillitie of your owne estate, to retire yourself to suche a part of your countrie, where your Majestie's person may be most surelie preserved, and your nobilitie; where, under perrill of our lands, lives, and heritages, your Majestie sall see the disloyalteis, falshoods, and treasons of the persons forsaids,

with their complices, evidentlie provin and declared in their faces; to the glorie of God, advancement of his true religioun, your Majestie's preservation, honour, and deliverance, pacifeing of your perturbed commoun weale and countrie, and to their perpetuall ignominie, infamie, and shame."

A DECLARATION THAT THE KING WAS NOT DETEANED CAPTIVE.

The lords who were about the king brought him from Ruthven to Perth. With great difficultie obteaned they, that a proclamatioun sould be made, to declare that he was not holdin captive. It was proclamed in Edinburgh the 30th day of August. The summe of it was this: That he had made choice of the burgh of Perth to be his place of residence, till the present commotioun be pacified, the danger appearing to hang over his estat, persoun, and quietnesse of the realme: That it was his will and command, that none esteeme his remaining in the said burgh to be forced or constrained, for feare or terrour, or against his will; that they be not seduced by seditious and contrare reports to rise in armes, or to attempt anie thing for troubling of the quiet estat of the countrie: That all and sindrie companeis and bands of men of warre, which are ather in gathering, or alreadie listed and enrolled, for the furtherance of anie actioun and querrell, dissolve and retire to their owne effaires and occupations, within six houres after they be charged, under the paine of death: That provests and bailliffes within everie burgh attend upon the executioun of the said penaltie upon the disobeyers.

LENNOX COMETH TO EDINBURGH.

The duke, als soone as he heard of the Road of Ruthven, thinking himself unsure in Dalkeith, sent to Edinburgh, and desired the proveist to keepe the toun in good order; intreatted he might have accesse to stay there, till he understood the king's pleasure. He who before had been solisted with faire speeches, and offers of

money, to show favour to the toun, that he would rather call to particular dyets before the Justice-Generall or his deputs, suche as had beene knowne notorious transgressers, than hold a chamberlan air among them, but could not be stayed, and had vowed to sett up the excommunicated bishop in the pulpits of Edinburgh, is now become a suter to them. It was granted, if he came accompanied onlie with his domesticks, without great convocatioun. Mr David Makgill, advocat, desired that 500 harquebusiers might be sent to Dalkeith, to convoy him to Edinburgh; but it was refused. So he came to Edinburgh about the evening, accompanied with sixtie-foure hors, and left his bishop in Dalkeith. The nixt night, the whole tapestrie and plenishing, or what was worthie to be caried, was transported from Dalkeith, in carts, to Edinburgh.

THE ANSWERE OF THE TOUN COUNSELL TO THE DUKE'S PETITIONS.

The counsell of the toun was convocated, at the duke's requeist. He purged himself, with great protestations, that he never attempted anie thing against religioun, or the libertie of the commoun weale. What was offensive (done by) him, proceeded rather of sinistrous informatioun than of himself; yitt now, the Erles of Gowrie and Marr, the Maister of Glames, and their complices, upon some invy, without anie just caus offered upon his part, had taikin the king, and deteanned him captive. He required that they would concurre with him to write to the lords, barons, and gentlemen of Lothiane, to come to Edinburgh, to tak consultatioun upon the king's deliverie and libertie. 2. Incace the lords that are about the king preasse the king with his wairding, what will be their part? 3. Licence to purge himself by proclamation at the Croce, of the brutes which were spread of him. 4. That suche freinds as he had writtin for, to consult with, might have free accesse to him within the toun. To the First it was answered, they were not accustomed to write to the noblemen and barons of Lothiane, nather would they regarde their letter. To the Secund,

that it behoved them to obey their prince, and to interpret his libertie or captivitie according to his owne mind; but they sould direct some to understand his Majestie's minde, and to report the same again in writt. To the Thrid, that no particular man used to make proclamations at the Croce, but some in the king's name. To the Fourth, that the toun sould be patent to all the king's lieges, providing they come in peaceable maner, and without great convocations. The duke promised to requite with all loving kindnesse their favour.

MR J. LOWSONE PAINTETH OUT THE DUKE'S ENORMITEIS.

The day following, that is, the Lord's day, the 26th, the proveist requeisted Mr James Lowsone to be spairing in his sermon. He answered, as Micah did, whatsoever the Lord putt in his mouth he would speeke, and as the text offered occasioun. He taught upon the beginning of the 6th of Zacharie, and opened up the meaning of the two hills of brasse. He declamed against Arran, the duke, and their counsellers, as violaters of discipline, annullers of excommunicatioun, setters furth of proclamations to traduce the best of the nobilitie and ministrie, setters up of Tulchan bishops through insatiable covetousnesse. He layed to the duke's charge, in speciall, raising of uproars in the kirk, troubling of the commoun wealth, the introducing of prodigalitie and vanitie in apparrell, superfluitie in banketting and delicat cheere, deflowring of dames and virgins, and other fruicts of the Frenche court, and vexing of the commouns of the countrie with airs. He exhorted Edinburgh to be thankfull to God for their deliverie from that which was intended the nixt Tuisday, if God of his mercie had not prevented, or ellis warned them, that a greater judgement would light upon them. "It becometh thee, O Edinburgh," said he, "to sing *Laqueus contritus est, et nós liberati sumus.*" But he layed cheefelie to his charge, that he made the king the author of all these faults, and laboured to corrupt him.

THE LORDS FAVOURING THE DUKE REPAIR TO EDINBURGH.

This night, Maxwell, *alias* Morton, came to Edinburgh, with sixtie armed men. The Maister of Livingston and sindrie others were holdin long at the ports, but at lenth suffered to come in. There resorted to the duke, at this time, Lords Hereis, Maxwell, Hume, Seton, Newbottle, the Maister of Livingston, and Laird of Phairnihirst.

A STRAIT WATCH KEEPED IN EDINBURGH.

Upon the 27th of August, the proveist and bailliffes of Edinburgh were charged to caus watche at everie port, and other places needfull of the burgh, both day and night; to suffer no harquebusiers, or other men of warre, to be ather openlie, by beating of the drumme, or privatlie levied, without his licence; to refuse entrie to extraordinar great companeis of men in armes, which they are not able to command: which charge was obeyed, and a charge givin by the magistrats, that no stranger, gentle man, or other, be found walking in the streets after nyne houres at night.

The king came from Perth to Stirline, the 30th of August, hoping the lords would suffer him to ride to Edinburgh the day following. But when he was come to Stirline, and had putt on his boots the day after, of purpose to ryde to Edinburgh, the lords came to him, and said, it was not expedient that he sould ride at that time, till farther order were takin with things out of order; and said plainlie, ather the duke or they sould leave Scotland. When he was to come furth at the doore, the Maister of Glames layed his leg before him. The king layed these things up in his heart, and tooke them heavilie. Mr James Lowsone, this day, that is, the 31st day, in his sermon, exhorted earnestlie the nobilitie to concurre with the rest, to the present reformatioun; for it was unreasounable that one man, though never so good, sould have all the guiding of the king and countrie.

COPIE OF THE QUEEN OF ENGLAND'S LETTER, DATED AUGUST 30TH, TO THE KING OF SCOTS, 1582.

"RIGHT HIGH, &c.—Understanding of some new troubles that have now, of late, happenned in your realme, and doubting what danger yee yourself presentlie may be in, or fall into heerafter, by reason of the same; thogh the hard and strange requittance of our former benefites bestowed upon you, and the small regarde that hath beene had of our most loving and nighbourlie care to preserve your state and person from the danger that, otherwise, had like to befall unto you, might give us just caus to forbeare to meddle anie more in anie thing that may concerne you; yitt, for that we doe conceave this errour rather to have proceeded through the practise and indirect perswasions of some evill instruments about you, than of your owne motioun, whom we would be loath to tuiche with so foule a vice as ingratitude, which we could not weill doe, without some blemish to our self, being so neere tyed to us in degree of consanguinitie as yee are, we have thought good, upon knowledge of this new accident, to send unto you a man of speciall trust about us, of whom we make no small accompt, and our servant, Robert Bowes, squire, treasurer of our toun of Berwick, to visite you in our behalfe, and to mak offer to you of our readie good will to continue our care and best indeavoure, for preservation of your person, and quietting of your estat; wherin we referre you to the particular report of the bearer, to whom we pray you give credit," &c.

THE COPIE OF A BAND SUBSCRIVED AT THE SAME TIME, BUT WITHOUT DATE.

"Wee undersubscriving, considering the present danger appearand to the ministers and professors of God's true religioun within this realme, the perrell of the king's Majestie's owne estat and crowne, and of suche as have beene obedient to his authoritie, and the abuse and confusioun of the commoun wealth in all estats;

being, therefore, of necessitie moved to come, and remaine with his Majestie, untill the time that remeid and reformatioun of the same be provided; therefore, in God's feare, and in his Majestie's obedience, we have avowed and swǫrne, and by the tenor heerof faithfullie bind and oblishe us to other, that we sall concurre in resisting of the evills intended by whatsomever persons, against God's true religioun, the person and authoritie of the king's Majestie, our soverane lord, and ourselves, in seeking and providing redresse and reformatioun of the enormiteis and abuses in the commoun wealth, to the establishing of the same true religioun, and reformatioun of justice, good order, and quietnesse to the owne integritie, according to the Word of God, and lovable lawes and customes of this realme: and sall take effald, true, and plaine part with others, esteeming, reputing, and holding all suddanteis and occasiouns that have fallin, or sall fall out, against anie one of us, in particular, and all interprises attempted by anie one of us, in prosecutioun of this honest, godlie, and lawfull caus, to be commoun to us all, without shrinking therefra, for anie thing may be opponed in the contrare, for anie bypast offence or querrell among our selves, as we will answere to the Eternall God, our due obedience to the king's Majestie, our soveran, and upon our honour, faith, and truthe.

"In witnesse heerof, we have subscrived thir presents with our hands as followeth:—

"Bothwell, Marr, Glencarne, Gowrie, Marche; Alexander Lord Hume, Patrik Lord Lindsey, Robert Lord Boyd; Abbot of Dumfermline, Adam *Orcaden:* Abbots of Cambuskenneth, Dryburgh, Paisley, Inchaffrey; Maister of Glames, Laurence, Maister of Oliphant, Bellendine, Cesfurd, Sir James Hume, Lochlevin, Drumquhassill, Robert Colvill of Cleish, George Hume of Wedderburn, Easter Wemes, Andrew Ker of Fadounside, Johne Cockburne of Ormeston, William Sinclar of Hardinestone, Johne Cockburne of Clerkington, Dalmahoy, Patrik Monypennie, Innerweeke, James Hammiltoun of Samuelstone, * * * Brown of Colstoun, Robert Fairlie, George Hume of Broxmouth, Patrik Hepburne of Quhytcastell, Whittinghame, Elphinston, Henrie Ogill of Athrunewod,

James Rig of Carbarrie, James Richartsone of Smetoun, William Wauchope of Nidrie, James Heriot of Trabrowne, Alexander Hume of Northberwick, James Fowles of Colintoun, Alexander Hume of Huttonhall, George Hume of Spott, Alexander Hume of Manderston."

A DECLARATION PROCLAMED THAT THE KING WAS NOT CAPTIVE.

Upon the first of September, the Lord Hereis, the Lairds of Kilsyth and Corstorphine, were sent by the Duke of Lennox to the king; but all privat conference was denied unto them. The Abbot of Lindores was sent to the duke, and to the proveist of Edinburgh, to tell them by tongue, that if he came not that night to Edinburgh, or the day following, he was deteaned captive against his will. Howbeit the lords stayed him in Stirline, yitt purchassed they his declaratioun, that he had chosin Stirline, to make his residence till the present commotioun were settled, and that he was not deteaned captive; which was proclamed in Edinburgh the thrid of September, as a ratificatioun of the former, together with a discharge to levie anie men of warre, under paine of treasoun, and a charge, to dissolve, within six houres, these who were alreadie levied. In the meane time, the king sent a letter to the toun secreitlie, to tak heed that the duke receaved no harme. Then were the magistrats and counsell verie franke for the duke.

J. DURIE'S RETURNE TO EDINBURGH.

Johne Adamsone, Alexander Udward, and Johne Wilkie, directed commissioners from Edinburgh, to understand the king's minde, if he would come to Edinburgh, and when, interceeded for Johne Durie. They purchased licence to Johne Durie to returne to Edinburgh. He preached before the king in Stirline, upon the Lord's day, the secund of September. As he is comming from Leith to Edinburgh, upon Tuisday the 4th of September, there mett him at the Gallow Greene two hundreth men of the inhabit-

ants of Edinburgh. Their number still increassed, till he came within the Neather Bow. There they beganne to sing the 124 Psalme, "Now Israel may say," &c. and sang in foure parts, knowne to the most part of the people. They came up the street till they came to the Great Kirk, singing thus all the way, to the number of two thowsand. They were muche moved themselves, and so were all the beholders. The duke was astonished, and more affrayed at that sight than at anie thing that ever he had seene before in Scotland, and rave his beard for anger. After exhortatioun made in the reader's place, by Mr James Lowsone, to thankfulnesse, and the singing of a psalme, they dissolved with great joy.

THE DUKE CHARGED TO DEPART.

The Lords Hereis and Newbottle, directed from the duke to the king, returned with answere, that the duke must depart out of Scotland within fourteene dayes; that he must remain at Dalkeith or Aberdour, accompanied onlie with fortie persons, till he depart; and that he must rander the castell of Dumbartan instantlie. Their intentioun was, to have made reconciliatioun betuixt the duke and the other parties: but all secreit conference with the king was denied them. And this was concluded in counsell, and all hostilitie against him to ceasse in the meane time: otherwise, if he agreed not to these conditions, to looke for no assurance.

THE CITICENS WATCHE FOR SAFETIE OF THEIR MINISTERS.

The counsell of Edinburgh took it verie high, speciallie Henrie Nesbit and James Adamsone, that Mr James Lowsone had said, the day before, there would be moe to putt the duke furth of the toun, and lett in the lords, than would be for the contrare. Some of the counsell said, they sould skaile their nest; wherupon some of the best affected citicens watched, to the number of two or three hundreth, in the backe of the kirk, for the safetie

of their ministers. The proveist and James Adamsone, with threatnings, commanded them to goe home to their houses; but they continued watching and singing psalmes all the night.

THE DUKE DEPARTETH OUT OF EDINBURGH.

The duke and his factioun perceaving how the inhabitants of the toun were inclynned, thought it not expedient to stay in Edinburgh. So the duke departed out of the toun, upon the fyft of September, after noone, accompanied with the proveist, bailliffes, and 500 men, toward the Scheans; for he pretended he was to ryde to Dalkeith. But after he had stayed a prettie space upon the south side of the Burrow Mure, he turned westward, and road toward Glasgow, accompanied with the Lord Maxwell, the Maister of Livingston, the Maister of Eglinton, Phairnihirst, and sindrie other gentle men. Cesfurd and Coldingknowes went homeward.

A CHARGE TO THE CAPTAN OF DUMBARTAN.

Upon Fryday, the 7th of September, the king's letters were proclamed at Glasgow, discharging anie to resort to the duke, but suche as minded to accompanie him to France; and discharging the captan of the Castell of Dumbartan to receave in moe with the duke than he was able to maister and overcome.

ARRAN COMMITTED TO GOWRIE'S CUSTODIE.

At this time, the Erle of Arran was in waird in Stirline, in the Erle of Gowrei's loodging. He promised, upon conditioun of their favour and his libertie, to make the king favorable to them, and, as others report, to furnish mater of treason against the duke. They made what vantage they could of him, but did not trust him. Some of the lords would have had him executed; others, considering the king's affectioun toward him, thought it not expedient.

He was transported from Ruthven Castell, and committed to the custodie of the Erle of Gowrie.

Upon Wednisday, the 12th of September, three proclamations were made at the Mercat Croce of Edinburgh: one, tuiching the discharge of the airs, and all the commissions and blanks which were givin to apprehend and punish suche as the duke, Arran, and their supposts, thought good; another, tuiching the king's freedome at Stirline; the thrid, tuiching the libertie to the Assemblie of the kirk, and free preaching of the Word, limited by a proclamatioun dated at Perth, the 13th of Julie, wherin the sentence pronounced against the Reverend Father in God, R. Montgomrie, Archbishop of Glasgow, was declared null, as before, when licence was granted to him upon the 12th of June, notwithstanding of his excommunicatioun, to stand in judgement, to persue and defend whatsoever caus depending or persued by him, or against him, before whatsomever judges. A charge was givin in the proclamation, made the 13th of Julie, to the Presbytereis of Stirline, Glasgow, and other burrow touns, to desist from persuing anie man for intercommouning with Mr Robert. In this, and other proclamatiouns, ministers were reproached, and the executioun of discipline stayed. Hardlie could the king be induced to grant this proclamation which followeth, he had beene so poysouned by the duke and Arran. They fostered him in his bawdie talke, provoked him to the pleasures of the flesh, and all kinde of licentiousnesse. When he was urged to subscrive a warrant for this proclamatioun, he spaired not to say, that the ministers were but a pack of knaves; that he had rather lose his kingdome, ere he were not avenged upon them; that the professors of France were but seditious tratours, rebels, and perturbers of commoun wealths. Bothwell rebooked him sharpelie, and said, suche talking was the readie way to plucke the crown off his head; and desired him to tak up himself in time. At lenth, he was moved, by Bothwell's perswasioun, to subscrive the proclamatioun; for nothing of importance, which might serve for furtherance of the Lord's caus, was obteaned without his procurement. The tenor of the proclamatioun followeth:—

"James, by the grace of God, King of Scots, to our lovits, &c., messingers, our shireffs in that part, conjunctlie and severallie, speciallie constitut, greeting. Forsameekle as it is humblie meaned, and heavilie compleanned to us by the ministers of God's Word, that where, by the proclamatioun made in Perth the 12th of Julie last bypast, published in diverse parts of our realme, ordeanned to be intimated at all mercat croces and parish kirks within the samine, bearing, that false brutes are divulgated, givin furth, and publictlie declamed, under colour of religioun, and title and name of the kirk, to stirre our good subjects, in our contempt, to neglect their duetie and obedience owed to us; commanding and charging all and sindrie kirks, lords, barons, ministers, and all others our lieges, to desist and ceasse from all publishing, preaching, reporting, or affirming, suche false brutes and manifest lees, exhorting them not to be moved to anie conventions or assembleis, under whatsoever title or names, except our advice and directioun had thereto: Certifeing them that doe in the contrare, they sall be holdin, reputed, and punished as makers of convocatioun of our lieges, disquietters of our commoun peace, rebellers, and enemeis to us, our authoritie and lawes; by the words of which proclamatioun, the authoritie and libertie of God's Word in free reproving sinne and iniquitie, and the priviledge granted to God's kirk, and in all ages observed, and speciallie since our coronatioun, in the convocatioun of generall, synodall, and particular assembleis at all times convenient, is thought to be inhibited and putt under injunctions in a new and strange maner; which was not, nor is not, our meaning: Wherefore, we have declared, and by thir our letters declare, that our true intentioun and unfained will never was, nor is, to resist or putt stay or injunctioun to the free preaching of God's Word in reproving of sinne and iniquitie, as by the same Word occasioun is offered; nor yitt to stoppe the conventions of generall, synodall, or whatsomever particular assembleis of the kirk and ministers, at all times requisite, according to the Word of God, and lovable use and custome observed heretofore: willing them to proceed as God's Word directeth, as by use and custome

hath beene receaved, notwithstanding the proclamation made, or anie other to be made, in the contrare; anent the which, we dispense for ever. Our will is heerefore, and we charge you straitlie, and command, that incontinent, thir our letters seene, yee passe to the mercat croces of the heed burrowes of our realme, and other places needfull, and there, by open proclamatioun, make publicatioun of the premisses, that none pretend ignorance of the same, as yee will answere to us therupon. The which to doe, we committ to you, conjunctlie and severallie, our full power by thir our letters, delivering them, by you duelie executed and indorsed, again to the bearer.

"Given under our signet, at Stirline, the 4th of September, and of our raigne the 16th yeere.

"*Per actum Dominorum Consilii.*"

A DECLARATION OF THE JUST AND NECESSAR CAUSES MOVING US OF THE NOBILITIE OF SCOTLAND, AND OTHERS THE KING'S MAJESTIE'S FAITHFULL SUBJECTS, TO REPAIRE TO HIS HIENESSE' PRESENCE, AND TO REMAINE WITH HIM, FOR RESISTING OF THE PRESENT DANGERS APPEARING TO GOD'S TRUE RELIGION AND PROFESSORS THEROF, AND TO HIS HIENESSE' OWNE PERSON, ESTAT, AND CROWNE, AND HIS FAITHFULL SUBJECTS THAT HAVE CONSTANTLIE CONTINUED IN HIS OBEDIENCE; AND TO SEEKE REDRESSE AND REFORMATION OF THE ABUSE AND CONFUSION OF THE COMMOUN WEALTH, REMOVING FROM HIS MAJESTIE THE CHEEFE AUTHORS THEROF, WHILL THE TRUTHE OF THE SAMINE MAY BE MADE MANIFEST TO HIS HIENESSE' ESTATS, THAT WITH COMMOUN CONSENT, REDRESSE AND REMEED MAY BE PROVIDED. DIRECTED FROM STIRLINE, WITH SPECIALL COMMAND AND LICENCE TO BE PRINTED. ANNO 1582.

"Wee, the nobilitie and others, the king's Majestie's faithfull subjects, moved latelie to repaire to his presence, and remaine with

him, for resisting the great dangers appearing to the true religion and professors therof, to the king's owne person, estat, and crowne, and to the commoun wealth of this countrie, willing that the grounds and occasions of all our proceedings be made patent to all our soveran lord's true lieges and good subjects, wherethrough the prosecutioun of this our godlie and honest caus may take the better effect to the glorie of God, the cheefe and onlie author therof, and to the releefe and confort of this poore afflicted commoun wealth, have thought it most meete and expedient to publishe and divulgat the just and necessar causes moving us to provide for a good and godlie redresse and reformation of the abuses and enormiteis underwrittin; hoping that all the true professors of God's religioun presentlie preached within the same, and all suche as have constantlie continued in the king's Majestie's obedience, and tender the commoun wealth of their native countrie, will putt to their hand, and farther this godlie interprise, that with commoun consent and sound advice the best and most sure remeed therefore may be provided.

"In the first, it is not unknowne, how our forbeares faithfullie served our king's most noble progenitors, and spent their lives in defence of this realme, against all forrane enemeis; as our fathers and we have hazarded our lives and lands, in preservatioun of his innocent person, first, from the murtherer of his father, and therafter, in defence of his crowne and authoritie, being so joyned with the caus of God's true religioun, as the one could receave no detriment without the inconvenient of the other; upon sure hope alwayes of his Grace's good allowance, and assured protectioun therefore, at his yeeres of discretion; like as, indeid, we never found, nor find in his Majestie's owne good nature and proper inclinatioun, but a love and zeale to that true and Christian religioun wherin he was godlie nourished; a loving affectioun to all his nobilitie, and others faithfull subjects; an earnest desire to have the commoun wealth of this his realme governed in peace, according to justice and equitie. Yitt, of late yeeres, since some few men, borne heritours to nothing in this land, partlie moved by ignorance

of this estate, and partlie by an ambitious desire, not onlie to be equals, but superiors to the ancient nobilitie, clothing themselves with the pretence of the king's Hienesse his name and kinred, and ascriving to his Majestie the odious title of an absolut power, they have not ceassed to attempt in effect what they pleased, in a strange and unaccustomed maner; and in a verie short space of his Majestie's young age, have aspired to titles of high honour, and obteanned the possessioun and commoditie of great and faire livings, both spirituall and temporall, beside great bribes in money, jewells, and other costlie graith, receaved by some of them; but how justlie, and with what good ground and order, Almightie God knoweth, and will declare with time. Which we patientlie beheld, whill by experience we found all things tending to the undermyning and overthrow of true religioun putt in livelie practise, and working fordward to the destructioun of the ministers of God's Word, and whole professors therof; and therewithall, the king's Majestie's good fame falling in decay, and his crown and authoritie to be putt in questioun, by the privie practise of a reconciliatioun betuixt his Hienesse and his mother, by dimissioun of his crown, or joyning her in conjunct authoritie with his Hienesse; drawing, in the meane time, the order of justice, and whole governement of the commoun wealth in a dissolute, partiall, and confused order, that the other mischeef intended might proceed the more easilie unespied.

"For as concerning the dangers appearing to the true religioun and professors therof, what greater preparatioun of wracke and overthrow of the true religioun could be intended, nor to goe about to corrupt the king's Majestie's tender age, most godlie and happilie nourished, instructed, and exercised, before thir men came in credit; occupying his Hienesse, for the most part, not onlie in vaniteis, but also defyling his eares with filthie and uncomelie speeches; drawing his residence in the places of Dalkeith and Kinneill, where the greatest resort of people was commounlie Papists, dissolute persons, and suche as had beene ever adversars to true religioun, his owne person and estat, and where whoordom and insolencie was

more frequentlie than princelie and vertuous exercises; that vile and impudent woman, over famous for her monstrous doings, not without suspicion of the devilish magicall art, never ceassing by her wicked inventions, slanderous leing and filthie words, and by her uncomelie doings, to vexe and importune the king's Majestie, to the great greefe of sindrie that beheld, and could not amend the same?

"And by that companie, and from these places, his Majestie was perswaded to write, not onlie to Papists, and to enter in intelligence with them, but to suche Papists, Scotishmen borne, as were by his Hienesse' estats justlie forfaulted for treasonable crimes committed by them against his authoritie; perswasioun givin to his Hienesse, that the suretie of his estat and crowne depended cheefelie upon suche freindship, as their travells and practises might compasse and procure to him: Which in end, notwithstanding of the concurrence of the Pop's nunce, and others, most notable persecuters of the kirk of God in France, wrought not so muche as to procure him once to be stiled King. Yitt, to interteane this trade, some tokins and presents were procured, and sent unto his Majestie, to hold his Hienesse occupied with contemplatioun and use of the noveltie therof, whill with time he might be drawin farther into the snare intended for the wracke of his Majestie and us all.

"In the meane time, the practise of the associatioun working fordward, the king's Majestie hath beene perswaded to allow that the ministers sould be putt at, not plainlie, but indirectlie and colouredlie at the first; beginning with dispositioun of benefices to persons unworthie and unqualified, *pleno jure*, and by absolut power, without examinatioun or admissioun of the kirk, against the lawes and constitutions of this realme, and without due provisioun made, for sustentation of the ministers serving at the kirks of prelaceis in that sort disponed.

"Nixt, the discipline of the kirk more openlie impugned, when as the king's Majestie, by perswasion of thir enemeis to the kirk, was induced to make himself and his privie counsell judges, in the cognition and judgement of maters meere ecclesiasticall, and con-

cerning the doctrine of the preachers, and to tak upon him whatsomever jurisdictioun the Pop usurped therinto of old; yea, and more, to discharge the Generall Assemblie, and whole pastors within this realme, to proceed to the sentence of excommunicatioun; also, to suspend the same sentence of excommunicatioun, most justlie and orderlie pronounced, and to decerne the same of none availl, force, nor effect.

"At last, the mouths of preachers have been stopped by commandement. Some ministers have beene dung, banished, suspended from the ministrie, cast in prison, and removed from their flockes, untried or lawfullie convicted of anie crime or just occasioun. Others of them have beene latelie indyted, and called to underly the law in most suspect judgement, for treasonable and foule crimes, to make them and their doctrine odious; and they, having purchassed advocation to the Justice-Generall, (whose judgement they meane never to declyne,) the receaving of their soverteis in the ordinar maner by commandement was differed, and refused to be receaved, that they, being putt to the horne as rebels, their escheats might have beene dispouned upon. Commandement also hath beene givin, not to proceed in execution of the ecclesiasticall censures against manifest and obstinat offenders.

"It is more than manifest, how the king's Majestie hath beene intised and provoked to tarie from the sermons of godlie preachers, and to tak loath to heare the truthe, in reproving of sinne spokin by them; and by the contrare, to permitt a perjured and excommunicated person, worthilie cutt off from the societie and fellowship of Christ, to be interteanned and fostered in his sight and companie.

"Was there not violence used to pull the ordinar minister out of the kirk of Glasgow, and by force to place and intruse therin the same unworthie man? Were not Papists, and men weill knowne infamous, purposelie placed as magistrats in that citie and universitie, to trouble the kirk, and studeis of the schollers; with speciall directioun to them, and to the gentle men of the countrie, to displace the ordinar minister, and intruse in that rowme that self-

same unworthie person, who, long before, was discharged of all functioun in the kirk of God? Was he not there mainteanned, and expresse commandement given, to suffer none of the ministers who withstood him to have rest or freindship in these bounds? And was not the officer of the kirk, that past to charge him, taikin and putt in prison?

"To what excessive charges and travells were the ministers within and about Glasgow, and the maisters of the universitie and regents putt to, by their oft summouning before his Majestie and counsell, and continuation of their caus to sindrie dayes and places; the schollers therewith all being, the sonnes of noblemen, barons, and others of good qualitie, furiouslie invaded, and their blood drawin!

"Wherupon, diverse privat and publict complaints being made, and the ministrie conveening, and presenting the causes of their greeves unto the king's Majestie at Perth, how hardlie and unreasonablie they were used by some of the counsell for the time, and how slenderlie answered with reformatioun of little or nothing compleanned upon, by the same answere may yitt appeare.

"In place of which redresse and reformatioun hoped for, was there not a decreit givin, and letters in the foure formes past, by these Lords of the Privie Counsell for the time, to answere and obey the said excommunicat man, of the rents and fruicts of the archbishoprick of Glasgow, in a maner partiall, and altogether extraordinar; that being no competent judgement for anie suche mater, but the Lords of the Counsell and Sessioun, to whose judgement suche maters properlie perteaned, plainlie refusing the granting of anie suche letters to a persoun so standing excommunicated.

"And besides all this, by act of Privie Counsell, and proclamations past therupon, and published not onlie at diverse mercat croces, but in the kirk of St Johnstoun, in the king's Majestie's hearing, which his Grace was intised to affirme by his owne mouth, there was a narratioun made, right slanderous and displeasant to the hearts of all suche as feared God, and loved the true religioun, whereby the ministers are called unnaturall subjects, seditious per-

sons, troublesome and unquiett spirits, members of Satan, enemeis to the king's Majestie and the commoun wealth of their native countrie; concluding, in the same proclamatioun, with a commandement to desist from preaching of suche things as there are called lees, howbeit, in veritie, knowne sinnes and offences against God, and to the hurt and slander of his kirk and true religioun; and discharging them the conventions and assembleis of the ministrie, under the paine to be punished as rebels and makers of convocatioun. To all this concurred the frequent advertisements and rumors of forrane countreis, of the sudden alteratioun of religioun, and cutting away the principals of the nobilitie, professors therof, to be shortlie attempted in Scotland. It was inquired by some, if our king's Majestie past alreadie to the masse? Famous books and libels were printed, and dispersed in this countrie, warning the professors of God's true religioun to remove. Daylie intelligence was betuixt thir men that governed the king's person and the Papists, both in France and England; and some of the English fugitives, being Papists, resett and interteaned verie neere the king's Majestie's person for the time. The speciall names of suche of the nobilitie, officers, and of the king's true servants that were destinated for the massacre, were in all men's mouths, and nothing resting but the executioun, since the authors of the like in France had obteaned place and credit to command also in Scotland. The lives and death of noblemen, and others the king's faithfull subjects, not depending upon an ordinar and lawfull triell of that wherewith they might anie wise be charged, according to the ancient and lovable lawes of this realme; but their dittay and destruction standing in the privie advertisements daylie receaved furth of France and England, from their adversars in religioun, and their knowne professed enemeis, who have long awaited procuring their wracke, wherof their intentioun was to mak our king's Majestie the instrument.

"And for the better performing of their ungodlie interprise, tending to the utter wracke and finall subversioun of the true religioun, and whole professors therof, they have travelled with the king's Majestie, to perswade him, by all meanes possible, to tak

upon himself to be author of all this wracke and dissimulatioun, as he was moved by their importunitie to declare in St Johnstoun, all abuses compleaned upon to be his owne deid; howbeit we doubt not but his Majestie is altogether innocent.

"Now, the true and Christian religioun, and whole professors therof, being brought to suche hazard and extremitie as is above rehearsed, who can not consider and behold the evident dangers which appeared to the king's owne person, estat, and crowne, seing the one so dependeth upon the other, that the one can not be hurt or impaired anie wise without the great incommoditie and detriment of the other? For by and attour the travelling to corrupt the king's age, giving him all the provocatiouns to dissolute life in maners that was possible, by licentious companie, by interteaning of their owne harlots in his presence, and careing them about with them to all places where his Hienesse did repaire, what sall we speeke of the shamelesse and filthie behaviour of her that is called Countesse of Arran, who, not being satisfied with the ignominie and shame done to the Erle of Marche, the king's dearest uncle, through her inordinat lust, ceasseth not yitt to pervert the king's Majestie's owne youth, by slanderous speeche and countenance, which we are ashamed to expresse?

"What greater danger can be devised against the king's Majestie's estat and crowne, nor to ding[1] continuallie in his eares, and to perswade him to thinke his raigne unsure, wanting his mother's benedictioun; and that France and Spaine would not call him king, but at her desire—and to that effect, to write to her, and enter in practise anent the dimissioun of his crowne, or for associatioun of her in conjunct authoritie with him, to the extreme perell of his owne estat, to cast all things done since he was crowned in doubt, and to mak all his true nobilitie and subjects tratours? And in the meane time, whill all this purpose was still working, nather the estats nor counsell being made privie to the message, or answere returned, sindrie practises have beene made with Papists both in France and England, speciallie with Scotish men standing

[1] Din.

forfaulted; of whom, sindrie were drawin home, some intrused by magistrats within burrowes, whose inhabitants for the king's querrell they have murthered, beside, that they were guiltie of the blood of the king's Majestie's parents; others, standing convicted of the king's father's murther, evill affected to his crowne, brought in service, and their advices in maters of greatest importance cheefelie followed. The noble men, and others that had alwayes continued the king's faithfull subjects and weill willers, reproached and banished his Hienesse' court and companie, unheard and untried; snairs layed to trappe them; some sakleslie forefaulted, others impeded to give their free votes in counsell, and if they did, bragged and querrelled therefore; continuall lees and misreports of them dung in the king's Majestie's eares, to make them odious; and the Laird of Innermarkie, fugitive, and remaining furth of the realme for a foule murther, for a bribe brought home again and pardouned, to mak him for his owne remissioun an accuser of noble men, and the king's good and faithfull subjects. Thus, the king's Majestie's authoritie, fame, and reputatioun, being brought in decay, and greatlie diminished, no care nor mention is made for his provision to a mariage with a partie agreeable, and of the same religion.

"That thir forenamed practises, both against the true religioun and the king's Majestie's estat and crowne, have beene devised and intended, experience teacheth it to be most true; lyke as also, the samine appeareth most manifestlie, by the dissolutioun of the amitie and freindship betuixt his Majestie and his deerest sister, the Queene of England, and the two realmes, maliciouslie procured by thir men, altogether ignorant of the estat of the countrie, and authors of thir calamiteis; travelling by all meanes possible to alienat the king's Majestie's minde from her freindship, notwithstanding her great zeale and affection, shewed from time to time, in the maintenance and protectioun of the true religioun in both the realmes, and of the great care, love, and providence, declared oftentimes in preservatioun of the king's Majestie's persoun, estat, and crowne, and repressing, by her force and substance, of the diverse rebellions attempted against his person, during his infancie.

"As concerning the commoun wealth of the realme, standing cheefelie in the good and vertuous governing of the king's person and estat, and in the equall administratioun of justice to all the subjects, to the confort of the good and terrour of the wicked, lett all indifferent men judge what hath beene the conditioun therof, thir two or three yeeres bypast. Is not the whole order of justice and policie in the realme interverted, the law brokin, by making of men and weomen prisoners, and using and threatning of torture for everie light and simulated caus; and banishment of the honest men of Edinburgh from their owne houses, they never being called nor convicted of anie crime, but delated by the malice of their evill willers, and relaxed and keeped strait at thir men's appetite, who have left nothing unsought or unassayed, that they might mak profite or money of; not spairing that which sould have susteaned the king's owne estat, and the needfull effaires of the realme, and yitt the samine not able to susteane the needlesse and prodigall consumptioun, and the unsatiable ambitioun and greedinesse of thir men, their wicked counsellers and followers, to whom nothing hath seemed unlawfull merchandice? Was not justice, blood, freindship, and the king's proper rent, bestowed upon the duke for his living, and all made commounlie sellable?

"How farre hath the commoun weale beene interessed, in raising and abasing of the coine, thir last two yeeres? What losse at least have the subjects receaved, by the crying doun of that money this yeere? To whome, in particular, hath the commoditie of that commoun skaith redounded? Hath it releeved anie part of the king's Majestie's debt, or supplied anie one honorable or profitable worke in the commoun weale?

"Toward the administratioun of justice, lett first the sessioun consider, how extraordinarilie they have beene urged in this fearefull time bypast, looking when they sould be taikin, one and one, out of the judgement seate, and committed to prisson, or banished, when anie thing proceeded contrare the appetite and intention of thir men, or where they requested or favoured.

"Was not command givin to repossesse men forfaulted, where

their pacification and restitution was not ratified and approved by parliament; and that no suspensioun, for lawfull causes, sould be granted against the same? In maters criminall, no justice done, and some time warrants givin to proceed, and continue justice courts together, and at once? Great feeds fostered, to make the fatter escheats to fall, and plaine opposition made to the agreement of parteis standing at variance?

"Taking of order with the burnings, slaughters, heirships, and depredations committed on the borders, and in the Hielands, altogether neglected. Little or no care taikin for interteanement of the peace and amitie with the Christian princes and commoun wealths, to gett the new exactions raised on the merchants in France and Flanders releeved, and the quietnesse in the borders keeped: the course of justice and redresse at the frontiers impeded and drivin over; leaving this countrie loose to be invaded at all occasions, without sure freindship of anie, but if it sall be sought where the king's Majestie is not acknowledged for a king, and where it will not be obteaned without the hazard of his religioun, and perell of his owne estat and crowne.

"What sall we say of the unlawfull taking of the tutorie of Arran, a confortlesse noble man, innocent of all foule crimes, and visited by the hand of God, and under that pretext, after solemne oathe made, of lawfull administration of that charge and office to his utilitie, according to right and lawes of the realme, bereaving him (after he was declared idiot) of his stile, heritage, and living, by a fraudfull and stollin resignatioun, to the wracke and disherishing of him and all his linage, although not declared offenders; procuring strange and extraordinar acts of parliament to be made, to mainteane that godlesse and unlawfull conquest, and reproaching the principals of the nobilitie with lees, and other unsufferable injureis in their faces, the like wherof was never done in Scotland; beside the inhumane handling of that innocent and dejected creature, and of the miserable noblewoman the dutchesse his mother; keeping him in a prisson with prissoners, evill furnished of meete, drinke, or clothing, in a most cruell and barbarous maner, to the

hurt of the king's conscience, honour, and good fame, whom they travelled to perswade to tak upon him to be the author of all thir wrongs and wickednesses?

"When all other shifts that might make profite or money had beene scummed and sought, yea, the goods of living men, before they were convicted or putt to the horne, intrometted with, or factoreis granted therupon in a new and unaccustomed maner; at last, the Justice Air of Cliddisdaill holdin, and the Chamberlan Airs devised, for scourging of the burrowes, testifie with what forme or good order thir men beganne, or ettled to have proceeded.

"Compositions tane for men, and yitt they never impannelled nor accused; and oftentimes, the landed man and his tenants sold over head for a summe, without respect to the offences, but to the number of the persons, and sindrie other fashiouns of briberie new and most perellous to enter in custome, under the name of justice, lyke as the poorer sort in the burrowes sould not have escaped the importable scafferie[1] intended; and the wealthiest, albeit of never so good fame, were threatned with the pursute of hom-bringing of false money; a crime, indeid, deserving severe punishment; but whether the motioun proceeded of zeale to justice, and punishement of offenders, lett it be judged, considering to whose gaine and profite these exactions sould have come; and when suche as were appointed to be judges and rulers of that court, for the most part, were mocked with some note of infamie. And was it not great presumption for anie subject to preasse to impyre in suche sort, above the whole burrowes, being one of the three estats; and derogatioun and impairing of the king's Majestie's owne authoritie, and to his Hienesse' Justice General? Yea, to intrude in the offices of him and of the Admirall, was esteemed for the time no maters of effect or importance?

"What extraordinar and fearefull commissiouns and charges have beene impetrated of the king's Majestie, not simplie of Justiciarie, but with blanks for taking and apprehending what persons they pleased, and incace of their refuse to be takin, to raise

[1] Extortion made by a great man's parasites.

fire, asseige houses, slay or mutilat. And to whose discretioun was the execution therof committed, but of him that is famous, and alreadie in danger of the law, (when God sall send justice,) of fire raising, commoun adulterie, sindrie odious slaughters, ravishing of a woman, assieging of men in their owne houses within burgh, holding of a hous of warre within burgh, and shooting furth of the same the king's Majestie's subjects and barons, leishing of men with belts and bridles, slaughter of an officer of armes at the mercat croce, in the verie executing of his office, ryving the king's letters, causing the executer therof sweare that he sould not reveele the same; taiking of a gentleman out of the king's Majestie's owne hous of the Castell of Stirline, careing him to the Parke under silence of night, tirring[1] him naiked, bidding him choose whether he would be hanged or headed, and after dinging and misusing him, causing him sweare that he sould reveale the same to none but to his maister; forcing of the king's Majestie's waird of the Tolbuith of Edinburgh, cruellie wounding a man committed to waird therin, and maisterfullie taking another offender out of waird, without finding of cautioun, or commandement had of the magistrats; hanging in a sword belt and tormenting of a young man comming to him, for executing a precept of wairning, before this last Witsonday, in a foule and unworthie maner to be rehearsed; participatioun with pyrats in their thift, and robrie of the goods of the freinds and confederats of this realme; reproaching and misusing some of the king's Majestie's counsell, in his owne hous. If this man was meete to have the credit of the executioun of suche a fearefull and bloodie commissioun, or was anie wise worthie to be suffered to come to his Hienesse with a companie of armed men, for putting of further cruelteis to executioun, lett first God, and then the king's Majestie and estats judge.

"In all this time, little ordinar privie counsell being keeped, except it had beene for propped causes, to the advancement of thir men, their freinds or followers; the rather, becaus the duke had

[1] Tirring; tearing off the clothes, stripping violently.

procured an ordinance, that nothing past out of counsell sould be valuable that was not subscrived by him.

"Thus, the king's Majestie's honour being greatlie impaired, the most part of the nobilitie and good subjects finding no sure accesse, to admonishe and certifie his Majestie of his owne honour and weelfare, nor to move his Hienesse in their owne errands, or to procure expeditioun of their lawfull and reasonable causes, but by the said duke his mediatioun, and to him, by some interpreter oft times deerelie hired; finding ourselves in continuall danger by misreports to be putt at, and hourelie looking for executioun of the cruelteis intended against us, we thought nothing better nor to repaire to his Majestie, and remaine beside him; removing the cheefe and principall authors of thir enormiteis, whill the truth might be manifested to his Highnesse and his estats; and that by commoun advice, siche speedie and substantious remedeis may be provided, as the ministers and professors of God's true religioun publictlie preached, and by the lawes of the realme established, may live, and use the exercise of the same religioun, als weill in the free dispensatioun of God's Word, and reproving sinne and impietie, as in administratioun of the Sacraments, and using ecclesiasticall censures and discipline, where occasioun is offered, according to the same Word, and lovable lawes and custome observed within this realme heretofore, untroubled or burthenned with extraordinar or strange injunctiouns; they behaving themselves the king's Majestie's duetifull subjects, and being obedient to his Majestie's lawes, in ordinar and lawfull judgement, for anie offences, criminall or civill, wherewith they may be charged.

"Nixt, that the truth may be manifested of the travells that have beene tane, and practise used for moving of the king's Majestie, to condescend to anie dimissioun of his crown and royall authoritie, or associatioun of the queene, his mother, in a conjunct governement with him; and that it be considered, what advantage or perrell that intentioun, taking effect, might have wrought to the true religioun, the king's Majestie's persoun and estat, and to his

nobilitie and faithfull subjects professing his obedience; and that sure provisioun may be had, how the further proceeding in this dangerous practise sall be snibbed and cutt off, and the attempting of the like, in time comming, forborne and eshewed.

"And, finallie, that the said corruptions, abuses, and disorders, entered within thir late yeeres in the commoun wealth, ather in the corruption and misusing of justice, or the king's owne person, hous, rent, officers, order of counsell, and governement of the publict effaires, oppressing and extorsing of subjects under colour of justice or otherwise, being particularlie considered, may be so amended and reformed, as God may be thereby pleased, the king's Majestie honoured and loved, and that the nobilitie and subjects may live in justice, peace, and tranquillitie, releeved of the cruelteis, dangers, and calamiteis intended against them, in time comming."

The Duke of Lennox purposed to lurke for a certan time in and about Dumbartan, and to await upon opportunitie. In the meane time published he this declaration following:—

THE DUKE OF LENNOX HIS DECLARATION TUICHING THE CALUMNEIS AND ACCUSATIONS SETT OUT AGAINST HIM BY THE ERLES OF MARR AND GOWRIE, WITH OTHERS, THEIR CONFEDERATS.

"It is commoun to persons that are willing to committ treasoun to colour their ungodlie interprise under some honest pretext, to the effect that they be not esteemed and holdin as odious to the people, and cheefelie, where it tendeth against their owne king and prince; as they who have latelie deteaned the king's Majestie perforce, and against his will, with sindrie kindes of armour, as if it had been in time of warre, unwitting how to colour and shadow their mischeevous and ungodlie interprise, and intention to bring in the forfaulted persons who, for their conspirations made against his Majestie's crowne and estat, are exiled out of the countrie, as their processe and doome of forfalture cleerelie testifieth.

"They sett furth, by their false allegatiouns, that my pretence

was, to subvert the religioun, and that I mainteanned the murtherers of his Majestie's father, and his two regents; used sore oppressioun among his true and faithfull subjects; practised a reconciliatioun betuixt his Majestie and his mother, by an invented association conjunctlie in authoritie, and that I interprised nothing but that which was agreeable onlie to the Bishop of Glasgow and Rosse's directioun. As to the first, I protest before God, it never entered in my minde to subvert the religion, as it is falselie alledged upon me: but since God hath givin me that grace to embrace it, I have professed it, and mainteane the same with my heart, as, with the help of God, for all the troubles that ever I receaved of the ministers, by the perswasioun, calumneis, and false informatioun of my evill willers and enemeis, I sall not desist to mainteane and professe the said religioun; being assured it is the onlie true religioun. And albeit the saids ministers have oppouned themselves in some part against me, by reasoun and their vocatioun, yitt I must grant, that the said religioun is not the worse, but remaines good, true, and holie.

"And concerning the maintenance of tratours and murtherers of his Majestie's father and two regents, it passeth their power to prove, that ever I requested his Majestie to pardoun anie of them. Tuiching the reconciliatioun betweene his Grace and his mother, I beleeve that there is no honest man in the world but he will grant, that the duetie of a loving and obedient sonne is to love and honour his mother, according to the command of God. I will not denie but I have givin his Majestie my counsell, to enter in love and favour with his mother; but never to dimitt his authoritie, nor to joyne her with him conjunctlie in the same, as I report me to his Majestie's self, who may declare the truthe of all; and also, to the Erle of Gowrie, who was present in my counsell givin to his Grace, who allowed and granted the same to be reasonable, and desired his Majestie siclyke to performe it. And incace he will denie it, I sall gar it be provin by honest and true persons, and men of honour. True it is, that my opinioun was, that there sould have beene some suretie of the crowne among them, to witt, that

if his Majestie died without bairns, (as I prayed the Eternall God not to permitt it,) that the crowne sould have returned to his mother; beleeving, that all true Scotish men will not grudge at it, but rather wishe the same be performed, before the Hammiltons gett entrie to the crowne, as the intentions of some are.

" Notwithstanding of their calumneis, I am readie, as I have offered by my Lord Hereis, to the king, and to them that deteane the king's Majestie, presentlie to be presented before the generall estats of this realme, and there to be judged upon all their accusatiouns, without anie respect or remissioun, if they will anie way prove me worthie of punishment. But when as they sould have desired me to come to the triell of the mater, they have done the contrare. Thereby their unrighteous pretences may be knowne: for if they were, as the brute is among them, to accuse me, they sould no wise have permitted me to stirre; but sent letters to summoun me before the generall estats of the realme, to answere to suche accusatiouns as they had to lay to my charge, according to the contents of the supplicatioun presented to his Majestie in Sanct Johnstoun, wherin they make promise, upon the perrell of their lives, lands, and heritage, that the said accusatiouns sould be provin and mainteaned before my face: the which, I am certan, they darre not doe, becaus they consider it would be the right way and moyen to manifest their disloyaltie, falshoods, and treasoun, and to cleange me of all they have to lay to my charge. Therefore, I most affectuouslie desire all honest persons to consider this my declaratioun, by the which, I have requeisted all the estats of this realme, that it may be permitted to me to compeere before them, to have justice, according to the will of God, and good reasoun. And if anie wise I be found offensive, I am content I be punished as I have deserved, according to the lawes of this countrie. In the meane time, I beleeve they will esteeme no other of me, considering my reasonable offers, but that I am a faithfull servant, and true subject to his Majestie. And albeit I be readie to obey his Majestie's command to depart out of the countrie, yitt, if it be his Grace's pleasure and estats' that I sould present

myself before them, I sall ever be readie to come at suche time and day as sall be appointed. Attour to satisfie the kirk, I have offered to the ministers of Edinburgh, by my Lord Hereis, the Laird of Traquare, and proveist of the said toun, after that they had refused to come in conference with me, that if they would putt in writt all the points and heeds wheron they plainted on me, I sould have answered them in writt; and therafter I was content that both their accusatiouns and my answeres sould have beene delivered to six ministers, suche as they would have choosed, with six of the noble men of this countrie, and to the Proveist of Edinburgh, and other five men of the toun. So, whatsomever the saids eighteene persons would have ordeanned me to doe, for their satisfactioun, I was content to obey. But I receaved no direct answere from them. And to the effect that my innocencie may be knowne to all honest men, and that I have submitted my self to reasoun in all things, I have made this declaratioun, to stoppe all my enemeis' false perswasiouns and calumneis, that they may not have place to be trowed among the said honest and faithfull persons: requeisting them all, in generall, to take this my declaratioun in good part, the which, for more sure approbatioun, I have subscrived with my hand, at the Castell of Dumbartane, the 20th of September, the yeere of God 1582 yeeres."

AN ANSWERE TO THE DECLARATION OF THE DISSEMBLED INNOCENCIE OF THE LORD AUBIGNEY, DUKE OF LENNOX.

"As it is commoun to all hypocrits, tuiched with the wand of God's corrections, to justifie themselves, and not by true repentance and open confessioun of their iniquitie to flee to God's mercie, so it is the duetie of a true Christian, in time to occurre, and by open declaratioun to reveele the truthe as it is, that both the hypocrit him self (being convicted in his owne conscience) may amend, and they that are ignorant of his proceedings, by his poysouned perswasiouns be not infected. Wherefore, it was thought good, by

pen, to expresse shortlie Aubigney's ungodlie attemptats in this kingdome since his arrivall; answering only to the declaratioun of his owne dissembled innocencie, latelie sett out in his name.

"But, first, his false calumneis, layed to the charge of the noble erles and lords presentlie with the king's Majestie, must be refelled. Where as, therefore, he accuseth these noble and virtuous Erles of Marr and Gowrie of treasoun, for alledged deteaning of the king's Majestie's person by force, and against his will; as it is a manifest lee in it self, and the contrare is knowne to all men that resort where his Hienesse is, so, no good person will once conjecture thir erles ever to have thought, muche lesse to have practised, treasoun against his Grace; seing they were the principall mainteaners of his Grace's good caus against all tratours, and hitherto, with no small hazard of their lives, lands, and heritage, by the bloodshed of their deerest freinds and brethrein, stand in his Grace's defence from his infancie, and as yitt constantlie abide in the same minde, as the effect will declare. Nather is it to be imputed to them, as a point of treasoun, for alledged inbringing of forfaulted persons; in respect both the king's Grace's clemencie may be extended toward anie of his subjects, in pardoning their offences when he pleaseth; and these lords presentlie with his Hienesse in companie have condescended, that none be admitted, as yitt, to his presence, whill the mater be reasouned and wiselie concluded by the effald counsell of the estats of the countrie, to whom it properlie belongeth. So, all good men may easilie perceave the untrue accusations of them, and their innocencie.

"Now, as concerning the duke's protestatiouns; where as first, he protesteth before God, it was never in his minde to subvert the true religioun of Jesus Christ within this countrie, but constantlie defend the same, lett all the faithfull judge of the equitie of this protestatioun, who, in the beginning, saw his subscriptioun, and were present at his oath-giving and communicating at the Lord's Table, and therafter perceaved, how fracklie, as a perjured and man-sworne person, he past fordward, putting daylie in practice all things that might hinder the truthe, stoppe the free course of

the Evangell, and bring the pastors and professors of it to haistie wracke and ruine; as in speciall, in maintenance of an excommunicated Judas, against God, and good lawes of this countrie; in protecting and defending of knowne enemeis, and profane Papists; in discharging generall, provinciall, and particular assembleis, so spoiling the kirk of God of the libertie and jurisdictioun ecclesiasticall, grounded on God's Word, and granted thereto by Christ; in banishing of other pastors most tyrannouslie from their flockes, for preaching of the truthe; in striking and dinging of others, and pulling of Christ out of his throne, for sincere proceeding in their lawfull assembleis; in discharging of others from preaching, and stopping of their mouths, becaus freelie they spake against his painted hypocrisie and evill life. What man of meane judgement will denie thir devilish attempts to be the immediat forerunners of the wracke and overthrow of religioun, and an open doore to the inbringing and establishing of idolatrie again; as the vaine and bloodie minassing, and shoring of his counsells in France and England, did oft times testifie, to the great greef of all the godlie, and encouraging of the enemeis, beginning again to lift up their heads? But, blessed be God, who disappointed the bloodie counsell of Achitophell, although for a short space he hath suffered poore David and his servants to be whipped. And, heerefore, where he avoweth before God to stand constant in the religion professed in Scotland, assured in his conscience that it is the onlie truthe bringing salvatioun to man, all good men doubt of it, that have knowne his religioun, and ungodlie behaviour in all kinde of ungodlinesse, since his arrivall to Scotland, and have great occasioun, as yitt, to doubt of it, whill better effects proceed of him nor as yitt have appeared.

"Secundlie, Tuiching the mainteaning of tratours, and murtherers of the king's father and his regents, where he sayeth, it sall passe the power of anie to prove it, surelie, as it is over true in the self, so may it be easilie provin; yea, the stones and dumbe elements about the Abbey, Edinburgh, the castell of Dalkeith, and palaces of Seton and Kinneill, can beare sufficient witnesse of it, if the gift

of speeking, granted to Balaam's asse, were givin to them. But who knowes not, how these unnaturall murtherers and detestable tratours were daylie brought in presence of the king's Majestie, to his great greef, and heavie displeasure of his true nobilitie? Was there not obteaned to some of that race (the most part of the nobilitie opponing in the contrare) respits for all faults generall and particular, committed by them and their predecessors? Were there not granted to others supersedereis for certan yeeres? Were not others promoted to beare office within the commoun weale? Were not others called home again to the countrie, and great procurement made for advancement of them to high honour, although the lovable lawes of this countrie provide, that nather suche like unnaturall murtherers and blood-thristie tratours, nor yitt anie of their posteritie, sould bruik land or heritage within the countrie? But Aubigney's treasonable counsell and decree of Frenche confederats could never be brought to passe, if thir preparatives had not past, for establishing of himself king in this countrie; hoping, with expeditioun, to be declared secund person to the crowne; when the true nobilitie sould have beene cutted off, our innocent prince, being daylie in hazard of his life, in the companie of this double dissembled hypocrit, of these murtherers of his father and regent, who were his plaine enemeis from his craddell upward, and by all their might and craft ceassed not to denude him of his crowne.

"Thridlie, Concerning the demissioun of the king's Grace's authoritie, and associatioun with his mother, which of all treasoun that ever was devised against a king is the cheefe, tending to his utter wracke, and the offcutting of his true nobilitie to make himself king; although he cannot denie it, yitt, with the terme of reconciliatioun betwixt the sonne and the mother, he preasseth to colour it, but all in vaine, by reasoun his treasonable dealing in that point is now disclosed to all, as at lenth is sett furth in the lords' letter concerning their proceedings against him. And where as he would burthein the noble Erle of Gowrie with a part of that execrable treasoun, for unburthening of himself, becaus marrowes

in desolatioun are wretched consolatioun; although that now the erle were dead, the king's Grace can report of his innocencie; how manie writts the duke did abstract from him concerning that purpose, directed from his Grace's mother to the Erle of Gowrie, and suffered them never be presented to him, how soone he knew my Lord Gowrie's minde not consenting to that unnaturall interprise against his native king and soverane. Moreover, how unlikelie it is, that the Erle of Gowrie would consent to their dimissioun, lett them judge, who have knowne his stedfast and true partaking at all times with his Hienesse, from his infancie; as also, whether he would condescend to associat her in authoritie with his Grace, of whom he could hope for nothing but his owne wrack, and perpetuall overthrow of his posteritie.

"Fourthlie, Where he affirmeth, that he offered himself to the king's Grace and nobilitie to a triell, the contrare is knowne. For where as the nobilitie were of minde, in presence of the estats of the countrie, publictlie to have accused him, and disclosed his great and most treasonable dealings and practises against the true religioun, the king's person, crown, and estat, in commoun weale of the countrie, with all earnestnesse; guiltie in his owne conscience, almost by the knowledge of the nobilitie, he procured a libertie to depart, thinking thereby to burie in silence his former practises. But, in time, his offer sall be heard, and his requeist sall be granted; and before his face, (except he be disobedient,) by the mouth of his owne familiars, traffiquers in his treasonable interprises, sall be reveeled whatsoever he hath attempted, without feare of God, and love of his prince, that hath exalted him to honour.

"Last, What maner of way he handled the ministers of God's truthe, I doubt not, but as it is knowne to all, so themselves, in due time, will declare it. But blessed be God, that hath so humbled that proud Pharao, now, in the eyes of all, that he is compelled to offer amendiment to them whom before, when with humilitie they craved reformatioun, disdainfullie he called 'Pultrons, Mischants, False Prophets,' and shamefullie handled, stroke, banished, and putt oft in hazard of their lives. But I feare, if Pha-

rao were freed of his plague, he sould returne to his wonted hardnesse, and doe as a dog in his old vomite."

ENGLISH AMBASSADERS COME.

Upon Fryday, the 14th of September, Sir George Carie and Mr Bowes, sent in ambassadge from the Queen of England, gott presence in Stirline. Their intentioun was, to trie if the lords minded the defence of religioun, the preservatioun of the king, and interteanement of peace betwixt the two realmes. If they did, they were to offer to them assistance.

Upon the Lord's day, the 16th, letters directed out of France from Mr Cobhame to Berwick were delivered to the king, wherin was declared, that the duke practised with France; that he would be esteemed a coward, lose his honour, and hazard his freinds, if he come away; that he had the king's heart, and would not want assistance in Scotland.

THE DUKE SEEKETH A DELAY.

Upon Moonday the 17th, a requeist was sent from the duke, for a prorogatioun of some few dayes, which was granted; with certificatioun, if he departed not at the time appointed, the king would persue him, as a tratour, with fire and sword. The king confessed to the English ambassaders, that the duke was not wise; that he had beene urged to manie things against his will; and that the lords' actioun was honest. But, said he, "Three sorts of men have interprised it: one meaning weill, another for their owne particular, the thrid to avoide punishment." The ambassaders asked if they might assure their mastresse of the removall of the duke. He said they might; wherupon they directed away a post upon Tuisday.

MR CRAIG REBOOKETH THE KING.

Upon Wedinsday the 19th, Mr Craig, teaching upon Psalme ii. ver. 10, rebooked the king so sharpelie, for subscriving the slanderous proclamatioun of which we made mentioun before, that the king weeped, and said, he might have told him privatlie. It was answered, it had beene oft told him, but to no purpose.

THE LORDS GETT A REMISSION.

The counsell concluded, that some companeis, both on hors and foote, sould be levied. The king mislyked their purpose, and to move them to desist, promised to give them a remissioun in the most ample and sure forme they could devise. They, perceaving him unwilling, and themselves in hazard, devised, for their owne securitie, the best forme of remissioun they could, which was afterward confirmed by the estats.

MR G. BUCHANAN HIS DEATH.

Upon Fryday, the 28th of September, Mr George Buchanan ended his dayes, the 68th yeere of his age. I need not to spend paper in his commendatioun; for his workes have commended him to all Europ. Onlie I will comprehend his praises in these words, which Mr Thomas Smeton hath used, in his answere to Mr Archibald Hammiltoun, the apostat, where he calleth him, "The ornament of our age, the samplar of ancient vertue and pietie; a miracle of profound eruditioun; the father and prince, or cheef of all the learned, and of all kinde of learning."

THE ERLE OF ANGUS HIS PEACE PROCLAMED.

The Erle of Angus his peace was proclamed at the Croce of Edinburgh, upon Moonday, the first of October, but upon condi-

tioun that he conteaned himself within the bounds of Merce and Tiviotdaill.

Upon Tuisday, the secund of October, the craftsmen not being content with the electioun of the magistrats, went to their armour. The merchants stayed still in the Tolbuith. The ministers travelled betwixt them, that no blood might be shed. Both parteis send their commissioners, with complaints, to the king. The king came to Halyrudhous, the eight of October, and then it was concluded by the king and counsell, that the magistrats whom the merchants had chosin sould be obeyed, to witt, the old proveist, Alexander Clerk; Johne Adamsone, Andrew Sklaiter, Michael Chisholme, and William Fairlie, bailliffes.

Mr Johne Davidsone and Johne Durie were directed, about this time, by the Presbyterie of Edinburgh and the Synod of Lothiane, to travell among the barons of Lothian and Tiviotdaill, and to procure the subscription of the band, which was subscrived latelie by the lords at Stirline, tuiching the maintenance of religioun, the king's estat and person, and the peace of the countrie.

THE FORTIE-SIXT GENERALL ASSEMBLIE.

The Generall Assemblie conveened in the New Kirk of Edinburgh, the 9th of October. Mr David Lindsey was chosin Moderator. Mr Robert Pont, Mr James Lowsone, Mr Andrew Hay, Mr Andrew Melvill, Mr Thomas Smeton, David Fergusone, Mr George Hay, Johne Duncansone, William Christisone, the Lairds of Lundie, Whittinghame, and Braid, were nominated to conveen with the moderator, at extraordinar houres, and advise upon suche things as sall be proponed and reasouned in this Assemblie, till the end therof.

THE KING'S COMMISSIONERS SENT TO THE ASSEMBLIE.

In presence of the whole Assemblie, compeered Mr James Halyburton and Colonell William Stewart, and presented the

king's Majestie's commissioun in writt, the tenor wherof followeth:—

"We, by the tenor heerof, with advice of the Lords of our Secreit Counsell, give and grant full power, authoritie, and commissioun to our right trustie and weill-beloved Mr James Halyburton, Proveist of Dundie, and Colonell William Stewart, conjunctlie and severallie, for us and in our name, to passe to the Generall Assemblie of the kirk of our realme, and there to heare and consider the maters proponed, tending to the advancement of God's glorie and his true religioun, for correctioun of maners, and reteaning of the ecclesiasticall maters in decent and comelie order, as the Word of God alloweth; and to report the maters proponed and intreatted of to us, for our allowance and ratificatioun of the same, as apperteaneth. And, generallie, all and sindrie other things to doe, that to the furtherance and assistance of all godlie and good maters are necessarilie required, firme and stable, &c. Subscrived with our hand at Halyrudhous, the 10th day of October, the yeere of God 1582, and of our raigne the 16th yeere."

THE LORDS' ACTION APPROVED.

My Lord of Paisley, in name of the noble men, interprisers of the late actioun, gave the Assemblie to understand, that the grounds moving them to their actioun simplie were, the danger they perceaved the Kirk of Scotland and religioun in, the evident perrell they saw the king's Majestie and his estat to stand in, and the confusioun and misorder of the commoun weale: that, as they doubted not to feele a good testimonie in their owne conscience, so would they the Assemblie sould shew their good lyking of the same, and give ordinance to everie minister at his particular kirk, to lay out the ground of their actioun to their flocke; and to exhort all noble men, and other faithfull subjects whatsoever, to concurre with them in the said good caus, to the full prosecutioun and following furth of the same. The Assemblie declared, that they understood all these dangers, but, to the effect they might understand the king's

minde, Mr James Lowsone, Mr David Lindsey, and the king's ministers, were directed to his Highnesse, to confer with him tuiching the saids dangers; to open the same at lenth to his Majestie, and to report his answere theranent. They reported in the eight sessioun, that his Hienesse confessed that the religioun within this realme was in perrell, and an indirect course runne to the detriment therof, wherewith his owne perrell was joynned; for he esteemed his standing to be joyned with the standing of religioun: that he acknowledged also sindrie abuses in the commoun weale, before the late interprise of the nobilitie; and that all good men ought to concurre, of duetie, to avert the danger from the Kirk, his person, estat, and for reformatioun of the commoun weale. Tuiching the two heeds left unresolved, which were proponed in name of the noblemen, undertakers of the late Reformatioun, the whole Assemblie in one voice agreed therewith, and ordeaned a speciall act to be conceaved therupon, and to be put in forme by the clerk, Mr Robert Pont, and Mr Thomas Smeton, to be presented to the Assemblie, that they may consider how it agreeth with the meaning of the brethrein. It was presented, considered, and approved by the brethrein, as agreeable to their meaning, in the nynth sessioun. But, becaus some brethrein were not present, it was read again in the ellevinth sessioun, and ordeaned to be registred among the Acts of the Assemblie; the tenor wherof followeth:—

"Forasmuche as the noble men, and others joyned with them in the late actioun of Reformatioun, willing the Assemblie, and the whole professors of true religioun, to understand the ground and occasioun moving them to repaire toward the king's Majestie, to seeke redresse of the disorders that were fallin out in the commoun weale, have made publict and solemne attestation to the whole Assemblie, that the motions and grounds of their good caus were, and are, to deliver the kirk of God within this realme, and the true religioun professed within the same, from evident and certan dangers, wherin all men perceaved the same to stand; as also, to preserve and guarde the innocent person of the king's Majestie, and his royall estat, being in no lesse perrell than was the other; and to

remove and purge the great corruptions and confusioun entered in the bodie and estat of this commoun weale, wherin, as they are weill persuaded to have done good service to their God, their bound and naturall duetie to their soverane and native commoun weale, so would they the brethrein in this Assemblie, and all that feare God, sould judge and esteeme of their lawfull actions, and declare their weill lyking and approbatioun of the same; and further, sould give out an ordinance to the whole pastors and ministers within the realme, at their particular kirks, to declare publictlie to their congregations their good action and grounds therof; exhorting all noble men, barons, and other faithfull men whatsomever, to give their good concurrence and assistance to the same. Which petitioun and desire, with the whole circumstances therof, being weill weighed and deepelie considered, and the said brethrein, in the feare of God, with commoun and mature deliberatioun, resolved, found, and voted, but[1] contradictioun, that not onlie the kirk of God within this realme, and his true religioun preached therin, but also the king's Majestie's most noble person, and his kinglie estat, were, and stood in extreme danger and hazard; beside the manie grosse abuses that had invaded the commoun weale, before the said noblemen had entered in the said actioun, wherof also, it hath pleased the king's Majestie to give that for declaratioun unto Colonell Stewart, his Grace's commissioner, Mr James Lowsone, Mr David Lindsey, and his Grace's ministers, being directed from the Assemblie to his Majestie for the same effect. And, therefore, the said brethrein cannot but thinke, that their honours imploying themselves to the averting of all thir dangers, have done good and acceptable service to God, their naturall and bound duetie to their soverane, and shewed their carefull affectioun to their countrie; and that the prosecutioun and following out of the said good and godlie caus, all particulars layed asyde, is, and sall be, most acceptable to all that feare the Majestie of God aright, tender the preservatioun of the king's Majestie's most noble person and estat, love the prosperous and happie successe of the troubled natioun. And to the effect

[1] Without.

that the said actioun and grounds therof might be the more manifest and notour to all men, it is thought expedient, that everie minister, at his owne particular kirk, publictlie, at the first occasioun, lay out the dangers and perrell wherein the kirk of God, and religioun within this realme, the king's Majestie's person and estat, and the whole commoun weale stood into; open up the grounds and actioun of the said noble men, recommending the samine to all of whatsomever estat; with exhortations to them, as they love and tender the glorie of God, the prosperous estat of their soveran, and the happie standing of the commoun weale, faithfullie to concurre and joyne with the said noble men and others forsaid, following out the said grounds, to the full deliverance of the kirk, the king's person and estat, and reformatioun of the commoun weale; and if anie man be found, ather by word maliciouslie, or violentlie by way of deid, to oppone unto the said good caus, that he be called in the particular elderships, and order putt to him, by the censures of the kirk; and incace of obstinacie, and willfull continuing therin, to be delated to the king's Majestie and his counsell, to be punished for his offence, civillie."

This act was read to the commissioners of Edinburgh, who, after advising apart therewith, agreed thereto, with the rest of the brethrein.

THE KING'S ADVOCAT CENSURED.

Mr David Makgill, the king's advocat, was summouned, by ordinance of the Assemblie, to compeer before them to answere simplie, if he was the former or dytter of the slanderous proclamatioun sett out against the ministrie, and for opponing him to the lawfull proceedings of the kirk; with certificatioun, if he compeered not, they would proceed as apperteanned. He was called upon in the 13th sessioun, but was continued till the 14th, at what time he compeered, and excused his absence, and desired to have a short space to advise with the tenor of the proclamatioun, and a sight of suche other particulars as he was burthenned with, wherinto he sould

answere simplie, as God sould judge him, which was granted. He compeered again in the 15th sessioun, and willed the Assemblie to consider their proceeding against him, being an officer to his maister, the king's Majestie, called his alone, upon the alledged forming of a proclamatioun givin out in the king's name, under the title of a Declaratioun, and concluded by authoritie of his counsell; and as they sall find, he sould not contemptuouslie refuse to answere everie point which they had to lay to his charge. The brethrein, after deliberatioun, found, that, in respect of the slander risin by his person, he may, and sould be called *simpliciter* to give his declaratioun for removing therof. He was content; and plainlie and openlie taking God to be his witnesse, declared, he nather invented, penned, nor formed the said proclamatioun; but at the desire of the duke, translated out of Frenche the last part therof. As to the rest of the points, the brethrein were fullie satisfied with his answeres.

COMMISSIONS.

As for the constitutioun of presbytereis where yitt none was established, the brethrein thought meet to tak accompt of the commissioners' diligence in this charge. They were called upon, so manie as were present. The Assemblie giveth commissioun to erect presbytereis in Cathnesse and Sutherland, in Rosse, Murrey, Aberdeen, and Bamff; and what the brethrein deputted to this charge sall doe, to report to the nixt Assemblie, against which time, if the said presbytereis be not erected, the Assemblie giveth commissioun to these brethrein to use the office of visiters, as was accustomed before the forme of eldership came in use.

As for the presbyterie of Tweddaill, forasmuche as the Assemblie understandeth, that by reasoun of the raritie of qualified ministers in these bounds, a presbyterie cannot presentlie be erected there, and that also, diverse, unfitt for the functioun of the ministrie, as yitt remaine in office, the Assemblie giveth commissioun to their brother, Johne Brand, to visite Tweddaill to the nixt As-

semblie, and with all convenient diligence to summoun before the presbyterie of Edinburgh suche as sall be judged unfitt for their functions, to give triell of their doctrine and sufficiencie, and if they be found insufficient, to deprive them of their offices, with advice of the said presbyterie; and in the meanetime, till a better order be taikin, that the ministers of that countrie resort to the Synodall Assemblie of Lothiane.

In the fourth sessioun, it was thought meet that the presbytereis of Merce, Tiviotdaill, and Tweddaill, sould be joyned to the Synodall Assemblie of Lothian, the places alwise where the said Synodall sall conveene being changed from time to time. Commissioun was givin to the presbyterie of Perth to putt in executioun the commissioun givin upon the 30th October 1578, concerning the Bishop of Dunkelden, betuixt and the nixt Assemblie, as they will answere to the Assemblie.

Seing great slander and offence ariseth by the impunitie of bishops, the Assemblie giveth commissioun to the particular presbytereis underspecified, with all possible and convenient diligence, to summon and call before them respective, in maner following; the presbyterie of Perth, the Bishop of Murrey; the presbyterie of Edinburgh, the Bishop of Aberdeen; the presbyterie of Mernes, the Bishop of Brechin; the presbyterie of Dundie, the Bishop of Dunkelden; the presbyterie of Glasgow, the Bishop of St Andrewes; the presbyterie of Stirline, the Bishops of Dumblane and the Isles; and to accuse them, and everie one of them, of the offences following, all or in part, as they are guilty, viz., of non-preaching and ministratioun of the sacraments, of negligence of doctrine or discipline, haunting and frequenting of the companie of excommunicated persons, waisting of the patrimonie of the kirk, setting of tacks against acts of the kirk, giving collatioun of benefices against the tenor of the said acts; and, finallie, for giving slander, anie wise, in life and conversatioun; and after due triell, processe, and convictioun, to tak order with everie one of them, according to the qualitie of their offence and acts of the kirk, betuixt and the nixt Assemblie.

Commissioun was givin to Mr Andrew Melvill and Mr Thomas Smeton, to confer with the Bishop of Orkney, for he had ceasssd from exercise of the ministrie, and had not takin him to a particular flocke. He pretended inabilitie of bodie, and continuall sicknesses. They reported in the 12th sessioun, that as for a particular kirk, he alledged, his age, inabilitie of bodie, and weaknesse of memorie, suffered him not to accept that weightie charge; and as to the provisioun of all his kirks, that he receaved a dismembred benefice, skarse worth 500 merks, at his entrie. The Assemblie ordeanned the Presbyterie of Edinburgh to trie his abilitie, and if he be found able to discharge the functioun of the ministrie, to appoint to him a particular flocke; and to tak order with anie other complaints that sould be givin in against him, according to the acts of the kirk, betuixt and the nixt Assemblie.

Commissioun was givin to some brethrein of the ministrie, and some others, to travell betuixt the merchants and crafts of Edinburgh, for reconciliatioun of both parteis.

Commissioun was givin to the eldership of Hadinton, with the concurrence of William Sandersone, Alexander Hume, Mr Adam Johnston, Mr George Ramsay, Mr David Lindsey, and one of the ministers of Edinburgh, to call before them the Laird of Phairnihirst his ladie and daughter, for going to masse in France, and other parts beyond sea, and incace it be found to be true, to tak order with them, according to the acts of the Assemblie; and, likewise, to charge them to subscrive the articles of religioun of the Confessioun of Faith, sett out by the king's Majestie's proclamatioun; and if they repyne, to proceed according to the tenour of the said proclamatioun.

Commissioun and power was givin to some ministers and barons, to concurre with suche as the king's Majestie and counsell sall direct, in visitatioun of the colledges within the realme respective, as they sall be appointed for everie colledge, and what sall be done by them heerin, to report again to the nixt Assemblie.

Commissioun was givin to some brethrein, to putt in forme the articles which sould be presented to the king, counsell, and estats.

Full power and commissioun was givin to some other brethrein, to present the said articles to his Hienesse, his counsell, and estats, presentlie assembled at Halyrudhous; to confer and reasoun upon the same, and to report their answere. The tenor of the articles followeth:—

ARTICLES.

First, Seing the spirituall jurisdictioun and governement of the kirk is granted by God the Father, through our Mediator, Jesus Christ, and givin onlie to them that preaching, teaching, and overseing, beare office within the same, to be exercised, not by the injunctions of men, but by the onlie rule of God's Word, that the acts of parliament concerning the libertie and jurisdictioun of the kirk be so plainlie declared and enlarged, that heerafter, no other of whatsoever degree, or under whatsomever pretence, have anie colour to ascrive, or tak upon them anie part therof, ather in placing or displacing ministers of God's Word in spirituall livings or offices, without the kirk's admissioun; or in stopping the mouths of preachers, or putting them to silence; or taking upon them the judgement in triell of doctrine; or of hindering, staying, or disannulling the censures of the kirk, or exeeming anie offenders therefra.

Item, That the presbytereis, consisting of doctors, pastors, and suche as are commounlie called elders, now, according to God's Word, and the king's Majestie's directioun, appointed in diverse parts of this realme, for discipline, order-keeping, and judgement-keeping, in ecclesiasticall effaires, be approved and established by authoritie, and paines prescrived for these that stubburnelie oppone themselves.

Lykewise, That the synodall assembleis, consisting of diverse presbytereis, and generall, or nationall, consisting of the whole, be approved, and by vertue of acts of counsell presentlie, and parliament heerafter, have power to conveene, so often as occasioun sall require, to advise, treat, conclude, and mak ordinance in suche

things as concerne the weale of the kirk and their charge, in doctrine or discipline, with libertie to appoint times and places to that effect.

Item, That presbytereis, or suche as they will direct of their owne number, have the same power in designation of manses and gleebs, and reparatioun of kirks, that bishops, superintendents, or visiters had before.

Item, That everie kirk have the owne severall pastor, to be susteaned of the tithes of the parish where he serveth; and to that end, that the masse of kirks annexed to great benefices or prelaceis be dissolved, pensions givin out of the thrids, and tacks sett of the same by the collectors, or possessors having their thrids in their owne hands, be revocked.

Item, That of the temporall lands of everie abbacie, pryorie, bishoprick, nunrie, &c., so muche be applyed to the schooles, as may sufficientlie interteane a sufficient number of maisters and bursars (according as the living may beare) in place of channons, moonks, nunnes, and other idle belleis; the one to teache, and the other to passe their course als weill in Philosophie in all universiteis, as in Theologie, according to the act of parliament made in the foundation of the new Colledge of Sanct Andrewes, that the kirk may be once planted with sufficient learned men.

Item, That provisioun may be, how commoun effaires of everie presbyterie may be borne, suche as visiters, commissioners directed by them for sindrie occasiouns, scribes, executioun of their summons, decreets, &c., which to our judgements sould be susteaned by the bishops' rents.

Item, That the kirk be restored to the thrids, according to the act of parliament, and contract made by the Erle Morton, becaus we have found our selves greevouslie hurt by giving them out of our owne hands.

Item, That the presentation of benefices be directed to the presbyterie of the bounds where the benefice lyeth, that by them, after due triell, the qualified person may be admitted.

Item, That no presentatioun be givin to anie man with a blanke

therewith, for their filthie greed, to goe through the countrie making shamefull merchandice, and seeking who will offer most, or receave least; but that suche be cheefelie regarded, as by the presbytereis or universiteis sall be recommended to the king's Majestie, or other laick patrons.

Item, That it be inacted, that the ministers who through age, sicknesse, or other accidents, become unable to execute the office, may bruike their livings during their lives, and provision made how the kirk, in the meane time, will be served.

Item, That suche maisters who are deposed or excommunicated in anie time, their benefices, stipends, or ecclesiasticall livings whatsomever, to vaike, and other qualified men provided thereto.

Item, That suche as are knowne to be Papists, and notwithstanding their oaths, hand-writts, and outward obedience, are tried to have turned to their vanitie, and made apostasie, awaiting still the time and occasion to cutt the throats of the godlie, may be punished as tratours to God and our soveran, by banishment or otherwise.

Item, That no societie, league, or freindship, be made with Papists in France, Italie, Spaine, or other countreis, by commoun or particular consent.

Item, That the like law be made for defence and preservation of the preachers of the blessed Evangell against violence and oppressioun, as is granted in favours of the Lords of the Sessioun.

Item, That remedie be found, how spirituall livings and tithes transferred in temporall lordships may be restored again, for sustentatioun of the ministers, poore, and schooles.

Item, That the colledge kirks which are destitute of ministers and pastors, by reason of the thrids givin in the colledges' hands, may be provided by sufficient stipends out of the thrids, conforme to the act of parliament made theranent.

Item, That buriall in parish kirks by act be discharged, and a speciall punishment appointed for transgressers.

Item, That the diminutioun of the rentall be a sufficient caus

for reduction of tacks and fewes; and that diminutioun be compted, als weill the impairing of silver rentall *de liquido in liquidum*, as conversion of victuall in small prices, that is, under suche reasonable prices as victuals give for the time.

Item, That everie beneficed man find caution, at his entrie, to recompence what hurt soever he doeth to the benefice.

Item, That it be lesume for no beneficed man, prelat, nor other, to sett anie tacks or fewes heerafter; and that they be bound to repaire whatsomever hurt they have done to their livings, against the lawes.

Item, That it be declared, what tacks or fewes are lawfull, and that two or three nyneteene or lyferent tacks, made against all law and conscience, be annulled, and declared of no effect.

CERTAN ARTICLES FOR THE KIRK AND COMMOUN WEALE.

First, That the slanderous proclamatioun givin furth at Perth, the 12th day of Julie, and published in all touns and parish kirks, and to the perpetuall infamie of God's servants, imprinted, may be perused and diligentlie considered; and to trie if anie minister be culpable of suche odious crimes as therin are layed to their charge: and incace they be found culpable, to punishe with all rigour of law; otherwise, that the givers out of suche blasphemous reports and devisers, and dyters of that infamous libell, be punished accordinglie; and that, by act of counsell, and open proclamatioun, the ministrie be declared innocent of suche wicked and haynous crimes.

Item, That the unaccustomed violence used against Mr Johne Howesone, drawing him out of the justice seate of the presbyterie, dinging, and casting him in prissoun, and against Mr David Wemes, minister of Glasgow, be so punished, that none heerafter be bold to attempt the like.

Item, That Coline Campbell, burges of Glasgow, William Hegget, Archibald Hegget, and their complices, be punished according

to justice, for the seditioun and uproare made by them, being magistrats and counsellers, against the students of Glasgow, and shedding their blood.

Item, That the proclamatioun latelie made for the libertie of the Assembleis may be enlarged, and more plainlie sett furth.

Item, That your lordships will give the king's Majestie to understand, how wicked instruments they were that perswaded his Grace to avow, and tak upon himself all the mischeefs and ungodlie proceedings wherewith the kirk, his Grace, and countrie, were brought to suche miserie and danger.

Item, That all acts of counsell made against presbytereis and assembleis, charging them to desist from proceeding in discipline and ecclesiasticall censures against slanderous persons, be annulled and deleted out of the books; lykewise, that the act made against Johne Durie be deleted.

Item, That his Majestie and lordships will weygh, what great inconveniences and absurditeis fall out upon the act of counsell made concerning the absolute power, and for removing therof, to delete the same, never to be remembred heerafter.

Item, That his Grace and lordships provide, and carefullie foresee, that by the wicked practise of dimissioun or associatioun of authoritie, the kirk, king's Majestie, and countrie, be not hurt; and that the same be stayed in time.

Item, That the stipend appointed for the minister of Stirline, and now wickedlie purchassed by Mr R. Montgomrie to his young sonne, be restored again, for sustentatioun of a qualified man, to teache that flocke, which, by his ungodlie dealing and apostasie, hath beene so long destitute.

Item, That it will please your Majestie and lordships, to have pitie and compassioun upon that noble and godlie man, James Hammiltoun, Erle of Arran, sometime a notable and confortable instrument in reforming the kirk of God, and now visited by the hand of God, and under pretence of law bereft.

Item, That commissioners be deputed in everie part for visitation of the colledges, betuixt and the last of November.

MINTO AND HIS COMPLICES CENSURED.

The Laird of Minto confessed the wrong he did to Mr Johne Howesone, and submitted himself to the Assemblie. The Assemblie referred the censuring of him to the discretioun of the presbyterie of Glasgow. The Assemblie ordeanned, that his complices, Coline Campbell, Malcolme Stewart, Hector Stewart, Archibald Hegget, be excommunicated by Mr David Wemes, minister of Glasgow, in the kirk of Glasgow, with advice of the presbyterie, for hanting the companie of Mr R. Montgomrie, after his excommunicatioun, and other enormiteis committed by them.

ACTS.

It was thought meete, that the places where synodall assembleis are to conveene sall be changed from time to time, as the brethrein sall find meetest, that no ambitioun grow, by continuing the samine in anie one place.

2. The brethrein appointed to present the articles to the conventioun of the estats in parliament were asked, seing they were taking order for a counsell, consisting of three estats, who sould sitt, in name of the kirk, to vote in counsell or parliament? They delayed answere, till they had the advice of the Assemblie. Their meaning was, If bishops sould sitt in counsell, in name of the kirk? The Assemblie resolved, that they could not agree that anie sould vote in name of the kirk, but they that bare office in the kirk, and were authorized with commissioun of the Assemblie; and ordeaned this their answere to be returned to Mr George Hay and Mr Thomas Buchanan immediatlie.

3. The Assemblie thought it lawfull to a minister, for a seasoun, to ceasse from the exercise of his ministrie, and use the office of a doctor; and, therefore, the Assemblie appointed Mr Thomas Buchanan to enter in the new Colledge of Sanct Andrewes, and there

exerce the office of a doctor, his kirk being provided in the meane time of a sufficient pastor.

BOTHWELL'S PROFESSION.

The Erle Bothwell compeered before this Assemblie, and professed he would live and dee in the reformed religioun professed within this realme, as he had done before his departure out of the countrie, and in time of his absence.

A new counsell is chosin. Angus is to be sent for, upon some hard conditions; to witt, that he sould not persue Aubigney nor Arran for Morton's death, nor seeke anie of Morton's lands, but as the king thought good, nor band with anie in anie caus.

The king and counsell agree, that Arran sall remain in waird till the duke depart, which was looked for shortlie, if weather served, and therafter, that he remain on the north side of Erne.

THE LATE INTERPRISE APPROVED BY THE CONVENTION.

The interprise of these that guarded the king (so they called that actioun) was approved at the conventioun which was holdin at this time. But the estats refused to descend, in speciall, to the grounds and motives, to witt, the hazard of religioun, the king's person, and commoun weale, and, therefore, would nather condemne nor ratifie the printed declaratioun of the caus of their interprise.

THE LORDS URGE THE DUKE'S DEPARTURE.

The Duke of Lennox sent to the king, and desired libertie to passe through England, pretending he durst not venture through the seas. The lords interprisers suspected that he was waiting upon some alteratioun, and, therefore, urged the king to putt in executioun the act made at Stirline, to witt, that the duke sould injoy his rents for the space of five yeeres, provyding he returned to France within twentie dayes after the making of the act; which,

if he performed not, he sould be denounced rebell, and the king sould passe upon him with fire and sword. The king answered, it sould be putt in executioun, but would first warne him. The lords, suspecting he had givin other secreit informatioun to Kilsyth than he had sent by letter, made a new motioun of leveing of men of warre. This motioun pleased not the king, but it was caried away by pluralitie of votes. Glencarne, constituted colonell, having receaved secreitlie some letters from the duke, and through the king's perswasioun, was moved to withdraw himself, and to goe home, whereupon the lords still urge the king with the duke's departure.

MR R. MONTGOMRIE'S OFFER.

Upon Tuisday the 13th of November, Mr Andrew Hay and Mr Andrew Polwart presented Mr R. Montgomrie's supplicatioun to the presbyterie of Edinburgh, which had beene before presented to the presbyterie of Glasgow, conteaning a confessioun of his offences, and a sute to be restored, with offer to underly their injunctions. They answered, as the presbyterie of Glasgow had done before, that it behoved him to begin his sute at the Generall Assemblie, seing the Generall Assemblie had ordeaned him to be excommunicated.

Gowrie, at this time, fearing his owne estat, was drawin by the king to be a freind to Arran. This suspicioun was confirmed, in that it was concluded in counsell, upon the 15th of November, that Arran sould be sett at libertie, the king declaring, that it was his will. No man opponed, onlie Cambuskenneth excepted, who said they could not vote in privie counsell, against that which had beene concluded in the whole convention. Mr Bowes, the English ambassader, told both the king and counsell, that he would advertise his mastresse, assuring himself, that her Majestie would not trust anie more ather king or counsell in Scotland. Heerupon it was concluded upon the 16th day, that he sould be deteaned in waird till the duke's departure. Glencarne and Gowrie were muche blamed for the favour which was granted to Arran. His brother, William

Stewart, had beene sett at libertie out of the castell of Stirline before, in October, and commanded to remaine with the Shireff of Air, under the paine of five thowsand punds.

A CONSPIRACIE OF THE DUKE'S.

Upon Fryday the 30th of November, it was concluded in counsell, that there sould be levied an hundreth horsemen, and an hundreth footemen. The duke cometh to Kallendar, and from thence to Blacknesse, the fourth of December, pretending he was upon his journey; but in the meane time had he an intentioun to seaze upon the palace of Halyrudhous, and the toun of Edinburgh unawars also, as was bruted. Sindrie of his confederats came with armed companeis, some to Restalrig, some to the Potterraw, and some about the West Port: Maxwell, Newbottle, Phairnihirst, Sir Johne Seton, the Maister of Livingston, the Laird of Traquair, and sindrie others. Strait watche was keeped both in the toun and the Abbey. Colonell Stewart, with the men of warre latelie taken up, watched in the Abbey, and the lords themselves within the yron gate. The lords suspecting some treacherie among themselves, concluded, that Maxwell, with some others, sould be apprehended, till farther order were taikin. But Maxwell had gone out of the toun upon Tuisday, at night, and returned secreitlie on the morne, as was suspected.

THE DUKE CHARGED AGAIN TO DEPART.

Alexander Hay and Mr George Young were sent, together with an herald of armes, to the duke, upon the 6th of December, to charge him to depart under paine of treasoun. He answered, he would obey, but desired a prorogatioun of time. Mr George Young was sent again, with a charge to depart from Blacknesse to Kirkliston, and from thence directlie to Hadinton, and so to passe fordward in his journey. The king had writtin to the barons of Lothiane to convoy him to Berwick. But he returned to Kallendar,

and from thence to Dumbartan. Sindrie barons of Lothiane, who road to convoy him, were disappointed.

GLENCARNE LEAVETH THE LORDS.

The duke sent for a testimoniall, under the great seale, of his good service. The king was earnest for it, but Gowrie opponed stoutlie to it. Glencarne left the lords, becaus he perceaved they suspected him. He confessed he had promised to save the duke's life, but no farther, and that was their owne meaning; and with all professed, he would stand to the maintenance of religioun, king, and countrie, as they did.

MORTON'S HEAD BURIED.

The Erle of Angus had the king and the lords with him at dinner, upon the 25th of November. Upon Moonday the 10th of December, the Erle of Morton's head was taikin doun off the pricke which is upon the high gavell of the Tolbuith, with the king's licence, at the elleventh houre of the day; was layed in a fyne cloath, convoyed honorablie, and layed in the kist where his bodie was buried. The Laird of Carmichaell caried it, shedding tears abundantlie by the way.

THE DUKE AGAIN CHARGED TO DEPART.

Upon Fryday the 14th of December, a new act was made in the counsell, for charging the duke to depart out of the countrie, or ellis without delay to putt him to the horne. A sharpe letter was sent from the king, shewing to him, that his wilfull ignorance was like to bring him and the countrie to great danger, and himself to destructioun. Mr George Young and Patrik Fentoun were sent to him to Dumbartan, together with an herald of armes, to putt him to the horne in cace he disobeyed.

GOWRIE'S MOTION TO THE MINISTERS AND LORDS.

Upon Moonday the 17th, the ministers of Edinburgh were sent for by the lords, who were conveened in the Counsel-hous at five houres at night; Angus, Marr, Gowrie, Lindsey, Boyd, Dumfermline, Pittenweme, Glames, Cathcart, Justice-Clerk. Gowrie desired earnestlie he might be rid of Arran, so that the good actioun had no hurt thereby. He regrated heavilie that he was bruted for unfaithfull dealing. It was thought good to advise upon his propositioun, and give answere upon the morne.

THE DUKE DEPARTETH.

The duke came to Dalkeith the 20th of December, and from thence he tooke journey the day following. There were two thowsand crowns sent to him when he was at Dumbar. The Lord Seton, the Maister of Livingston, Mr Mark Ker, Mr David Makgill, and sindrie others, convoyed him. When he was in his journey, the king hurt his leg with the fall of his hors, and keeped bed five or six dayes.

CONSULTATION BETUIXT THE LORDS AND MINISTERS.

Upon Wedinsday the 26th of December, the lords, together with some ministers, consulted what was to be done nixt. It was agreed that Arran's confyning sould be continued; nixt, a commissioun sould be givin to Colonell Stewart for triell of the late conspiracie.

The duke and Seigneur de la Mott, the Frenche ambassader, mett at Topleth, be-north Yorke, and conferred together in the hieway, abouf the space of half an houre. Mr Davidsone, the English ambassader, who was sent with the Frenche, hearkened to all that they spake, but heard not all, becaus the wind and weather would not suffer. Alwise he said, he was banished more through the

hatred and force of his enemeis, than at the king's pleasure, and that he had not offended against the king nor his lawes.

M.D.LXXXIII.

THE FRENCHE AMBASSADER HIS DIRECTIONS.

Seigneur de la Mott Fenelon, the Frenche ambassader, came to Berwick the first of Januar, and with him Mr Davidsone, the English ambassader. Mr Davidsone was sent to informe the king that the Frenche ambassader his earand was onlie to sow discord between the king, the counsell, and his nobles.

THE COPIE OF THE KING OF FRANCE HIS DIRECTIONS SENT TO SCOTLAND WITH SEIGNEUR DE LA MOTT FENELON, TRANSLATED OUT OF THE FRENCHE.

"1. In their Majesteis' Most Christian part, he sall make the most honourable salutations and visiting to the Most Serene King of Scotland, their good brother, and little sonne, that is possible.

"2. And to give him their letters that are closed, suche and suche lyke as they have writtin to him with their hands; and to shew expreslie the perfyte freindship and singular affectioun that their Majesteis beare unto him; and to bring backe the answere.

"3. To tak heed to the things which tuich neere the Most Serene king, to the effect that his person may be in no danger, but that it may be most surelie preserved.

"4. And that he be not hindered in the honest libertie that he ought to have, and that no greater nor straiter guards be about him than he used to have of before.

"5. And siclyke, that he be not impeached in the authoritie that God hath givin to him, of king and prince, soveran above his subjects, to the effect he may als freelie ordeane and command in

his effairs, and in the effaires of his countrie, with his ordinarie counsell, as he was used to doe of before.

"6. That his nobilitie, burrowes, and communitie of his countrie, may have their free libertie to resort to his Serene Majestie, without suspicioun of greater guards, or moe armed men about his person, than the use was, that they be not affrayed and hindered to resort.

"7. And farther, the said Seigneur de la Mott Fenelon sall liberallie and freelie speeke to the said Serene king and his counsell, requiring the re-establishing of that, that may, or hath beene changed or altered.

"8. And that he may know if the principalls of the nobilitie, and other men of good behaviour of the touns and communitie of the countrie, conveene, and are content with the forme of governement presentlie with the said Serene king, to the end that if there be anie miscontentment, he may travell to agree them together, and that he returne not without the certantie of the samine.

"9. And if he may understand that there be anie who have not used them so reverentlie toward the said king, their soverane lord, as the duetie of their obedience required, that he may pray, on the behalfe of his Majestie Most Christian, the said Serene king, his good brother, giving him counsell whollie to forgett the same, and exhorting them to doe their duetie toward his Majestie in time comming, in all respects, with the obedience and true subjectioun that they ought him.

"10. And if the said Seigneur de la Mott perceaves the said Serene king to be in anie maner constrained of his person, authoritie, libertie, and dispositioun of his effaires than he used to be, not convenient for his royall dignitie, or as the soveraintie of a prince doeth require, that he use all moyens, leasome and honest, to place him in the same; and that he imploy als muche as the credit of his Most Christian Majestie may doe toward the nobilitie and subjects of that countrie; and als muche as may his name, with the name of his crowne, toward all the Scotish nation, the

which he loveth, and confideth in als muche as they were proper Frenche men.

"11. And that he witnesse to the said Serene king and his estats, of his consent; and to all the nobilitie and other principall personages of the countrie, that his Most Christian Majestie will continue, on his part, in the most ancient alliance and confederacie which he had with the said Serene king, his good brother.

"12. Praying his nobilitie and countrie, with his principall subjects, to persevere in the samine, and to persevere in all good understanding and freindship with him, the which, on his part, he sall doe, observing the same inviolablie.

"13. Farther, his Most Christian Majestie understanding that the Serene king, his good brother, was contented with the Duke of Lennox and his service, the said Seigneur de la Mott had charge to pray his Serene Majestie that he might remaine beside him to his contentment, beleeving that he sould more willinglie intertean the points of love and confederacie betuixt their Majesteis and countreis, becaus he was a good subject to them both; and if he might not remaine without some alteratioun of the tranquillitie of his estat, that he might retire him to his owne hous in the said countrie in surenesse; or if he pleased to returne to France, that he might surelie.

"14. And if it please his Serene Majestie to caus ceasse and stay the impeachements that are made of new upon the frontiers, to the effect, that the naturall Frenchemen may enter als freelie in the countrie as they were wont to doe of before.

"15. And that there may be no purpose of diffamation, nor no speeche but honorable of the Most Christian King in that countrie, but suche like as is spokin most honorablie of the Serene King of Scotland in France."

He had another head to propone, which he concealed till a little before his departure, to witt, that the queene, the king's mother, was content to receave her sonne in associatioun of the authoritie.

Mr Bowes, the English ambassader, moved Mr Johne David-

sone to counsell the brethrein to speeke little or nothing of the Frenche ambassader till his message were knowne, which would fall furth shortlie, becaus the Frenche ambassader would rejoice to have occasioun, at his entrie, to have the king offended with anie of the ministers; and willed, that the gravest of their number sould declare their minde both to the king and counsell.

THE FRENCHE AMBASSADER GETTETH PRESENCE.

Upon Fryday the elleventh, the Frenche ambassader gott presence, and delivered to the king foure letters; one from the King of France, another from the queene-mother, the third from Guise, the fourth from Duke de Maine..

AN INUNDATION.

Upon Tuisday the 15th of Januar, a great inundatioun of the water of Tay, at St Johnstoun, caried away a great part of the bridge. It overflowed the Inches and a part of the toun yairds.

ANOTHER FRENCHE AMBASSADER LANDETH.

Upon the Lord's day, the 20th of Januar, another Frenche ambassader landed at Leith with a great traine, called Manningville, one of the cheefe devisers of the league in Picardie against the Protestants.

THE MINISTERS' CONFERENCE WITH THE KING.

Upon Tuisday the 22d, some ministers of the presbyterie of Edinburgh were appointed to goe to the king to admonish him to bewar of the Frenche ambassader. They went, and the king thanked them for their admonitioun, and said, he would use commoun courtesie, but no great familiaritie. Mr David Lindsey said, that he was one of the principall instruments of working the matche

betuixt his mother and the Duke of Norfolke. Little answere was made to that point. Alwise the king said, the ambassaders would not meddle in religioun; and if they did, they would soone be answered. Mr David Lindsey replyed, that their maner was, to pretend at the first civill and politick maters; and yitt religioun was their butt, and, therefore, their worldlie pretences would be wiselie handled, and short dispatche made. "For," sayeth he, "they may now foster the variance which is among your nobilitie, and move you to variance with England; and whereto tendeth all this but to the destruction of religioun?" The Abbot of Dumfermline said, "Sir, this is it that Mr David meaneth: they may seeke the overthrow of religioun indirectlie, though not directlie." Gowrie affirmed the same, and therefore thought it best that they sould be dispatched als soone as could be possible. So they tooke their leave. Mr Johne Davidsone stayed a space after, and privatlie admonished the king to forbeare his often swearing, and taking of the name of God in vaine. "I thank you," said the king, with a little laughter.

MANNINGVILL GETTETH PRESENCE.

Upon Wedinsday the 23d of Januar, the ambassader, Manningvill, got presence in Halyrudhous. After some few words spokin to the king, he craved that he might be used as an ambassader: that as he had the use of meate and drinke for his bodie, so he might have foode for his soule, meaning the masse, otherwise he would not stay, to suffer his Most Christian prince his authoritie and ambassadge to be violated. The king rounded,[1] and prayed him to be sober in that point, and promised all sould be weill.

THE VARIANCE BETWEEN THE CRAFTS AND MERCHANTS COMPOSED.

Upon Saturday the 26th, the controversie betuixt the merchants

[1] Spoke aside.

and the crafts was composed. The Laird of Ormeston, Mr Robert Pont, Mr David Lindsey, reasouned for the crafts; the Lairds of Braid, Merchiston, and Elphinston, for the merchants.

A PASQUILL FOUND.

Upon Moonday the 28th, a summons was found in the proveist's seate, sealed, and a gibbet drawin upon the backe of it for Angus, Marr, and Dumfermline. It was directed to the toun of Edinburgh, to looke to the king, in name of Huntlie, Argile, Atholl, Crawfurd, Montrose, Seton, &c., in respect he was imprissouned in the Abbey, and was to be caried to England, as was to be feared. The king said, they were tratours both to God and him that had writtin so.

LA MOTT BANKETTED BY THE TOUN OF EDINBURGH.

Upon Fryday the first of Februar, a letter was sent from the king to the counsell of Edinburgh, craving that a bankett might be made to the French ambassader, La Mott, who was now readie to depart. It was thought that some merchants, traffiquers with France, procured this command. The proveist and bailliffes communicated the letter with the ministers and sessioun of the kirk. It was thought unmeete, for sindrie reasons; yitt the counsell concluded it to be done, alledging the sessioun had suspended their judgement therin. Upon the Lord's day, the thrid of Februar, the sessioun of the kirk of Edinburgh conveened, and concluded, that in case anie bankett sould be made to the Frenche ambassader, that the congregatioun sould meete upon Moonday, to fasting and prayer. The fast was intimated to the people: so, in time of the banketting, the congregatioun mett betweene nyne and ten houres, and continued till two after noone. Mr James Lowson his exhortatioun was grounded upon 2 Cor. cap. vi. ver. 14; Johne Dureis upon the nynth of Esdra; Mr Walters upon the fourth of Esther. Betuixt the three exhortations, there was reading and singing of

psalms. Mr James Lowson affirmed, that the banket was altogether unlawfull: if they meant truelie, they sealed up their fellowship of true love with the murtherers of the sancts of God; if they dissembled, it was hypocrisie, and so was evil. The ambassader, after the bankett, went that night to Seton, and from thence to Berwick. The king was offended with Angus for not going to the bankett, and with the ministers, speciallie Mr James Lowsone.

Upon Thursday the 14th of Februar, the Laird of Kilsyth brought a letter from the Queen of England, shewing that, for the king's sake, she had treatted the duke otherwise than he deserved. The duke himself, after he had landed at Bulloigne, sent a letter to the king, wherein he affirmed the same.

After the departure of La Mott, the king would have had some of the nobilitie to addresse themselves to court. The lords interprisers would have had a conventioun for their owne particulars. Becaus the dissensioun among the nobilitie stayed the conventioun, and their comming to court, there was a band devised to be subscrived by the king and the whole nobilitie, the tenor whereof followeth:—

"We, undersubscriving, considering the present estat and age of the king's Majestie, our soverane lord, the youth of so great a number of his nobilitie, and the occasiouns of the troubles and variances which have beene in this realme since his Hienesse' birth, and before, to the great hinderance to establishe the policie, peace, and justice, and to the prejudice of the nobilitie, and all others his Majestie's good subjects in all estats: Which inconveniencies, by all appearance, sall daylie increasse to the perrell of his Majestie, and decay of the estimatioun of his Hienesse and this realme, our native countrie, and to the trouble and skaith of everie one of us in particular, if God, of his mercie, remove not the occasiouns: And finding his Majestie now comming to the state of man-head, possessed in his owne person with the governement of this realme and subjects, and having manie and weightie maters in hand, concerning the honour and suretie of his persoun and estat, his mariage, his interteanement of

peace, amitie, and good intelligence with the Christian princes and commoun wealths, his neerest nighbours, freinds, and allayes, and the repressioun of the theeves and brokin men inhabiting the countreis neere the borders, and others, with the governing of his other peaceable and good subjects in tranquillitie, peace, and justice, hardlie can take good effect, without our heartie and loving concurrence in his Majestie's obedience, to the advancement of his honour and service: We, having found his Majestie most desirous of unioun and concord amongst us all, and most loving, gracious, and bountifull to everie one of us; therefore, in God's feare, and in his Majestie's obedience, avowing ourselves his Majestie's humble subjects, we faithfullie promise to continue true and obedient to his Hienesse to the end of our lives, and to concurre, assist, and proceed in all our actiouns, to the advancement of the glorie of God, and his true religioun publictlie preached and professed by his Hienesse and us all; and as may best tend to the honour, suretie, and service of his Majestie and his posteritie, the observatioun of the said peace and amitie for defence of this realme, incace of anie forrane invasioun, the punishement of theeves and rebels, and governing his Majestie's good subjects in tranquillitie, peace, and justice; procuring, so farre as in us lyeth, the reformatioun and amendement of all disorders which have interveened during the troublesome times bygane. And seing we are to resort to his Majestie, as we sall be called upon, or others as have necessar occasioun, wherinto suche grudges, displeasures, and unkindnesses as have happenned among us in times bygane, may be some lett and stay; therefore, for removing all suche doubts, we have assured, and by the tenor heerof, everie one of us taking on us the burthein for ourselves, and all that we may lett, assure eache one others, to be unhurt, unharmed, molested, persued, or in anie wise invaded, ather for old feed or new, otherwise than by ordinar course of law and justice; nather sall we, nor anie that we may lett, make provocatioun of trouble, displeasure, or tumult, in word, deid, or countenance, as we will answere to God, and upon our fidelitie and honours to his Majestie. Moreover, we promise faithfullie, that within the space of fortie dayes after the

day of Februar 1582, (*stylo veteri,*) we and everie one of us that have actioun of deedlie feed, or querrel of offence or injurie against others, sall give our complaint therupon to our soveran lord; wherupon his Hienesse, by advice of his counsell, calling before him the partie adversar, in amicable submission to suche indifferent persons as his Majestie sall thinke most expedient, and his Majestie be oversman, to the effect that the partie offended may be repaired, as honour and equitie craveth, to the removing of all suche actioun of feed, querrell, offence, or injurie. And if anie wilfullie and obstinatlie refuse the reasonable offer and honorable concord of his partie, and to give and take measure at the sight of our soverane lord, and indifferent persons to whom his Majestie sall thinke meete the caus to be submitted, we promise to be partie to the same obstinat and wilfull persoun, and no wise to concurre and assist him in the contrare. Attour, we have renounced, and by the tenor heerof, renounce and discharge all bands, obligations, and promises made by us, or anie of us, together, against anie others in times bygane preceeding the date heerof, wherethrough we may sincerelie observe and keepe the effect of this our present band and promise in time comming. In witnesse heerof, thir presents being subscrived by our said soveran lord, in tokin of his Majestie's desire heerof, we also have subscrived the same with our hands."

AN ENGLISH JESUIT APPREHENDED.

Upon Fryday, the first of Marche, Brereton and another Englishman were taikin at Leith in the night, when they were making toward their ship to depart, being layed for at the direction of Mr Bowes, and Mr David Lindsey, and was brought to Mr Bowes' hous. Sindrie letters were found upon Brereton, one directed from the Ladie Seton, another from her sonne, Alexander Pryour of Pluscardie, to the maister of the Seminarie at Rome; a thrid, showing the interprise of taiking the king to France. He was delivered to Colonell Stewart. Some brethrein were directed from the presbyterie of Edinburgh to the king, to urge a triell of the

English Jesuit. The king said, it was delayed, at the desire of the English ambassader, till the Frenche ambassader were gone; that Colonell Stewart had the keeping of him, who had the custodie of his owne person.

MANNINGVILL'S SUPERSTITIOUN.

Upon Thursday the 28th of Marche, commounlie called Skyre Thursday,[1] Manningvill, the Frenche ambassader, called into his loodging thritteene poore men, and washed their feet, according to the Popish maner, wherat the people was greatlie offended.

INSTRUCTIONS FOR THE COMMISSIONERS DIRECTED TO THE KING'S MAJESTIE, FROM THE SYNODALL ASSEMBLIE OF LOTHIANE, HOLDIN IN EDINBURGH THE THRID OF APRILE 1583.

"*Imprimis*, To remember his Grace, that this hath beene the traffique of Papists of divers countreis and forrane natiouns this long time, to bring the religioun and his Majestie in danger; in tokin wherof, sindrie moyens have beene used, as namelie, the oft sending home of sindrie Jesuits, Papisticall bookes, and tokins from the Pop's self. Which kinde of dealing was appearandlie overseene, or rather mainteanned by the duke and his confederats, when he ruled the court, for which caus he seemed cheefelie to have come thither; of which evident dangers, albeit we, the kirk, have meanned ourselves privilie to his Grace and counsell, and publictlie have admonished, yitt lightlie have they beene esteemed and credited, untill these probations following shewed themselves:—

"1. The confederacie earnestlie sought and required by the Papisticall factioun of France, &c.

"2. The incomming of thir ambassaders of France, who never acknowledged his Majestie's authoritie before, the one bearing the

[1] More generally known under the title of Maunday Thursday, which is the Thursday before Good-Friday.

manifest badge of the antichrist,[1] and the other openlie requiring an idolatricall masse, which, albeit it was not granted by his Grace, yitt it is to be feared that the same he hath privilie, seing he hath an idolatrous preest ydinglie with him; as also, in manifest contempt, he plainlie past to the most manifest superstition, in counterfooting Christ in washing of his disciples' feete.

"3. The keeping of Seminarie preests, partlie in the ambassader's hous, and partlie interteaned by my Lord Seton, to overthrow and undermyne the religioun, and speciallie William Holt, who presentlie is in waird, with whom are deprehended sindrie writtings, wherin is declared the treasonable dealing against God's true religioun and his Majestie, untried yitt and unexamined, although these letters remitt more to the report of the said William nor is conteaned in them. And as tuiching your Grace's estat, the article of the particular associatioun proponed by the ambassaders, is a plaine declaratioun of the overwhelming of all things occurring since his Grace's coronatioun.

"*Item*, It is to be suspected, that there be sindrie persons about his Grace, that are no lesse knowne enemeis to God's religion and his Majestie's authoritie, than these who of before were with his Grace.

"For remeed of the which, requeist his Grace to dispatche this wicked ambassader, and to trie and examine the said preest; certifieing his Grace, if thir things be not done, the zeale of the people will not be stayed from some inconvenient; wherof the brethrein desire some confort of his Grace presentlie, before our departure."

A CONVENTION.

A convention was holdin at Edinburgh, the 18th of Aprile. There was motioun made of a Parliament to be holdin, which pleased not the king, nor the duke's favourers. The king burst

[1] This was Monsieur de la Motte Fenelon, who was a knight of the lately instituted Order of St Esprit, or the Holy Ghost, the badge of which was a white cross, with the figure of a dove in the centre.

out in teares, and could not be satisfied till the Erle of Angus moved him to agree that a parliament might be sett for his owne and his dependers' full restitutioun. The king, hoping that some thing might fall furth in processe of time, which might serve his designes, desired that the parliament might be appointed to be holdin the 24th of October, which was granted. A taxatioun of an hundreth thowsand pund was intended for discharge of the king's debt; but no farther was granted but twentie thowsand pund, unlesse the parliament yeelded to further. It was concluded that an ambassader sould be sent to England, to seeke a matche to the king, and further amitie betuixt the two nations. Colonell Stewart was directed ambassader, and tooke journey the 25th of Aprile, accompanied with Mr Johne Colvill and Mr George Young.

THE FORTIE-SEVEN GENERALL ASSEMBLIE.

The Generall Assemblie conveened at Edinburgh, the 24th of Aprile. Johne Brand made the exhortatioun in place of Mr David Lindsey, the last moderator, by reasoun he was to depart the day following with the ambassader. Mr Thomas Smeton was chosin Moderator. Eight other ministers were appointed to confer with him upon suche heeds as were to be treated before the Assemblie everie day, as they sould think expedient, without prejudice of the libertie of their brethrein in anie thing.

ARTICLES FOR SUPPLICATION.

The Assemblie directed Mr Johne Craig, Johne Durie, and Mr Alexander Hume, to the king's Majestie, to desire his Hienesse to send some commissioners in his name, to assist the Assemblie with their presence; and farther, to desire his Hienesse to direct his ambassader to travell that an unioun and band may be made betuixt his Grace, the Queene of England, and other Christian princes and states professing the true religioun, for defence and protectioun of the professors therof, against the persecution of Pa-

pists banded together by the bloodie league of Trent: as also, that her Majestie would disburthein their brethrein in England of the yoke of the ceremoneis imposed upon them. They reported, in the thrid sessioun, that the king promised to send three commissioners; that he granted that the secund article was most reasonable; and as for the thrid, that he sould give command to his ambassader to intreate for the same, as opportunitie served best for the advancement of the caus. The brethrein directed Mr Alexander Arbuthnet, David Fergusone, and Johne Durie, with the king's ministers, to the king and counsell, in name of the Assemblie, to crave that the Frenche ambassader, whose traffiquing heere is suspected to tend to the hurt both of the religioun and commoun weale, may be depesched: that Mr Holt, the Jesuit, may be tried, and according to his offence, if he be guiltie, punished: that my Lord Seton's sonne might be sent for, and tried for his letter sent to the Jesuits; and that order be taikin with him that a brother of the Laird of Camboe's, refusing to abide the judgement of the kirk, and allowing the breake of the king's lawes concerning his religioun, may be summouned to a particular dyett, to underly the law: to remember his Grace that no licence be givin to the Abbot of Halywod to depart out of the countrie; and to remember his Grace, of order to be taikin with Mr David Chalmer: to show to his Hienesse the pitifull complaint made by the Erle of Arran to the Assemblie, and to crave his gracious answere. The summe of his lamentable supplicatioun was, that as the Assemblie had travelled before with the king and Lords of Secreit Counsell for his deliverie from a long and lamentable captivitie, and restitutioun to him of his heritage, most wrongouslie withholdin from him, so, now, they would not pretermitt the present opportunitie, when his enemie, the unjust possessour of his heritage, by whose crueltie he hath susteanned much miserie, manie wrongs and greeves, in bodie, in spirit, and in worldlie goods, is now removed from his Majestie's presence; that they would now procure that his bodie and patrimonie may be committed to the custodie and guiding of his undoubted freinds, who

would have unfained care both of the one and the other. The brethrein reported his Majestie's answere, that, as for the Frenche ambassader, he was presentlie upon his journey to depart; that Holt and the Lord Seton's sonne sould be tried and confronted together; that Camboe's brethrein sall be summouned; that he remembreth not of anie licence past to the Abbot of Halywod; that order sall be taikin with Mr David Chalmer; that he sould send to try how the Erle of Arran was interteaned, and if he was not weill used he sould provide some remedie.

COMMISSIONS.

An accompt was taikin of the execution of the commissions givin to some brethrein to constitute presbytereis where as yitt none were erected. Impediments were alledged for Rosse, Cathnesse, and Sutherland, and the commissioun givin before continued. An accompt was taikin of the commissioun givin for visitation of the universiteis. As to Sanct Andrewes and Glasgow, the commissioners answered, they were readie, but wanted the concurrence of the king's commissioners. Mr Thomas Smeton, Mr Andrew Melvill, Mr Nicoll Dagleish, or, if he may not conveniently, Mr Robert Pont, were appointed to conveen at Sanct Andrewes, the fyft day of September nixt to come, to trie the members of the Colledge of Aberdeen, if they were answerable and conforme to the orders of the new erectioun made by the Erle Marshall, the Commendatar of Deny, and certan brethrein, who had charge by the king's commissioun and the Assemblie to visite the said colledge.

Commissioun was givin, as in the last Assemblie, to Mr Robert Pont, or Mr Nicoll Dagleish, Mr Alexander Arbuthnet, Mr Andrew Polwart, Mr Thomas Smeton, Mr Thomas Buchanan, Mr David Lindsey, or anie foure of them, to conveene the fyft day of September, at Sanct Andrewes, and to try how the rents and livings of the colledges are bestowed; what and in what order the masters or regents teache. If conforme to the act of parliament, how order is keeped among the schollers and students; and heer-

in, as order or misorder sall be found, to tak order, and to report to the nixt Generall Assemblie. Captan Montgomrie, being directed from the king, required the Assemblie, in his Hienesse' name, not to meddle with removing anie of the members of the Colledge of Glasgow, speciallie the Principall, seing his Majestie is patron and erecter of the said colledge. Commissioun and power was givin to Mr Andrew Hay, Mr Alexander Arbuthnet, Mr George Hay, to present to the king's Majestie and his honorable counsell suche heeds, articles, and complaints, as are givin to them in writt, conferre, treat, and reasoun therupoun, and to crave his Highnesse' and their Honours' answere.

COMMISSION FOR CENSURING OF BISHOPS.

Tuiching the ordinance givin out in the last Assemblie against bishops, and their triell, &c., the particular commissioners being orderlie called upon for executioun of their commissioun, none compeered for the Presbyterie of Perth. As to the Bishop of Brechin, the processe led against him was produced. The processe against Aberdeen and Orkney was committed to the triell of David Fergusone and Patrik Gillespie, and what they found they were appointed to report to the Assemblie. The sight of the processe against the Bishop of Dumblane and the Iles was committed to Mr Peter Blekburne and Mr Adam Johnston. As for the Bishop of Sanct Andrewes, Mr Andrew Melvill answered, he could not *addere afflictionem afflicto.* In the elleventh sessioun it was concluded as followeth: As for the order to be taikin with the bishops, and the commissiouns givin in the last Assemblie concerning them, in respect that oversight is found in executioun of the said commissioun upon sindrie occasions, yitt, least that estat, so long slanderous to the kirk, be not overpast (as it hath beene) negligentlie, the whole Assemblie hath continued the commissioun givin to the brethrein of before, concerning S., the Bishop of the Iles and Dunkelden, ordeaning them to proceed in all points according to the said commissioun, as they will answere to the kirk; and,

cheefelie, the Presbyterie of Stirline, to proceed against the Bishop of the Iles, according to the processe deduced before them; with full power to them to that effect. As concerning the Bishop of Aberdeen, in respect some processe hath beene had before the Presbyterie of Edinburgh against him, where his answere hath beene givin in *negative*, and no probation led against him, the Assemblie ordeanned the officer of the Assemblie to warne him to compeere before their brethrein, Mr James Lowsone, Mr Andrew Melvill, Mr Walter Balcalquall, Johne Durie, Mr Johne Craig, David Fergusone, Mr Johne Davidsone, and Johne Brand, to heare witnesse receaved against him in that mater, the morne at six houres; to whom the Assemblie giveth power to examine and trie the said witnesses, and everie one of them, upon the points denied by the said Mr David, and to report the probatioun again to the Assemblie.

THE KING'S COMMISSIONERS' INSTRUCTIONS.

The Proveist of Dundie and the Laird of Colluthie presented certan instructions directed with them by the king's Majestie and his counsell, with a letter writtin in favours of the Bishop of Murrey, which were read in the sixt sessioun. In the seventh, they answered, that for expedition of their first heed the Assemblie sould appoint their nixt conventioun the sooner, that a resolute answere might be givin thereto. As for the secund, they had found by experience commissiouns givin to brethrein with power to conclude, to have done great hurt to the kirk. As to novelteis, they sould meddle with none. As for the article putting them in remembrance of the acts made in the last parliament, speciallie tuiching provisioun for ministers, and stipends for them at all parish kirks, and appointing commissioners for ordering therof; for execution of the which it sould be required that they sould nominat three commissioners, with power to them to conveene; with als manie to be directed to his Grace, for consideratioun and appointing of the order and estat of the kirk and stipends, to beginne and tak effect at the first day of November nixt; and that the same

commissioners sould have power to treat, confer, and conclude, that their travells might be effectuall in all maters concerning the said act, or depending therupon, to the full executioun therof. The Generall Assemblie having advised with the said article, nominateth and giveth power to their loved brethrein, the Laird of Dun, Mr Andrew Hay, Mr Thomas Buchanan, Mr Johne Craig, Mr David Lindsey, Mr Robert Pont, or Mr Thomas Buchanan, conjunctlie, to conveene with the king's Majestie's commissioners, at suche time as sall be assigned, to treate, confer, and reasoun, for a solide order and forme of provisioun of the ministers' stipends and estat of the kirk; and to lay the ground therof, and reduce the samine to a certan perfectioun, to be advised upon in the nixt Assemblie, there to be concluded, if it sall be thought expedient by the universall votes of the whole Assemblie. And for their better informatioun, to that effect ordeanneth everie presbyterie, as they sall be required by the said brethrein, to send some of the most qualified and meetest men of the presbyterie, to informe the six commissioners upon the estat of their countreis, for advancing of the said work, and informing them in the premisses.

MR D. RUSSELL CENSURED.

Mr David Russell, one of the Bailliffes of Sanct Andrewes, was summouned by the Synod of Fife, to compeere before this Assemblie, to heare sentence pronounced upon a processe led and deduced before the Presbyterie of Sanct Andrewes, for publishing of a scandalous letter upon the 17th day of Marche last, in presence of the congregatioun of Sanct Andrewes; in calling the ordinance of the presbyterie a rable; in giving command, with threatning, in face of the congregatioun, to publishe the letter; for penning and forming the said blasphemous letter; for denying, first, with attestatioun, the penning therof, and therafter granting the same; for opponing in all the heeds of the said letter to the ordinance of the presbyterie; for writting these outragious words therin, "Pretended Presbyterie," "Usurped authoritie of presbyterie, without

anie ground of God's Word, or lawes of the realme;" that the said presbyterie did "against their owne consciences and Christian charitie;" that some of them were "promise-breakers." For contemning not onlie the jurisdictioun of the presbyterie, but also of the Synodall Assemblie, the Assemblie not onlie decerned his appellatioun from the presbyterie to be unformall, but also ordeanned him, upon Thursday come eight dayes, to compeere before the Presbyterie of Sanct Andrewes, and humblie confesse these his offences; and if they take his repentance to be unfained, that, upon the Lord's day immediatlie therafter, he compeere before noone, after sermon; and before the prayer, in the parish kirk of Sanct Andrewes, before noone, and, in presence of the congregatioun, confesse his offences, as they are above deduced in particular, and exhort all men to obey the ordinance of the kirk: and if he obey not the sentence in all points, that the Presbyterie of Sanct Andrewes proceed against him with the censures of the kirk.

MR R. MONTGOMRIE'S FAUTORS CENSURED.

The Assemblie ordeanned that Gavin Graham, and the rest of his complices, alreadie excommunicated, sall underly the injunctiouns layed upon murtherers, incestuous persons, &c., before they be absolved from the said sentence, the forme wherof is conteaned in the act made the thrid day of Marche 1565; and that when they have satisfied, the Presbyterie of Glasgow absolve them. As for the rest who are yitt under processe, for the violence used against Mr Johne Howesone, the Assemblie referreth the censuring of them to the discretioun of the Presbyterie of Glasgow, one, of the Presbyterie of Edinburgh, James Anderson, and the Minister of Air, providing the said censure and injunctiouns be not so rigorous as these that are inflicted upon them that incurred the sentence of excommunicatioun.

ACTS.

The Assemblie, with full consent, concluded, that baptisme ministred by laick persons, and suche as have no ordinar functioun in the ministrie, to be no baptisme; and that these that are baptized in this pretended maner sall be baptized according to God's Word.

2. The Assemblie ordeanned, that everie presbyterie within their owne bounds sall tak order with ministers that make not residence at their owne kirks, as they will be answerable to the Assemblie.

3. As for the difficultie moved by certan brethrein, if it be lawfull for a pastor alreadie serving a flocke to receave presentation and collatioun of a benefice apperteaning to another kirk, and to remove, without licence of the presbyterie where he serveth, or the Synodall Assemblie or Generall, the Assemblie resolved that, he might not remove from his owne flocke without licence of his presbyterie, the Synodall or Generall Assemblie; and discharged all presbytereis, in times comming, to admitt anie person ellis where serving, as said is, to benefices, without testimoniall and licence shewed by them of the consent of the Presbyterie, Synodall, or Generall Assemblie, as said is. And if anie be found to remove himself without the consent forsaid, the Assemblie ordeanneth that he be deposed from his functioun and calling of the ministrie in time comming.

A COMMISSION FOR COLLECTING THE ACTS OF THE ASSEMBLY.

That the great travells taikin by Mr Craig, not without the singular fruict and profite of the whole brethrein, may be brought to perfectioun, it is thought good, that Mr James Lowsone, Mr David Lowsone, Mr David Lindsey, Mr Robert Pont, Mr Walter Balcalquall, Mr Nicoll Dagleish, Mr Johne Davidsone, travell in perusing the whole work, consider and weygh what things are re-

quisite to the full compleeting therof, that the judgement of the whole kirk may be had therupon.

THE FRENCHE AMBASSADER DEPARTETH.

Manningvill, the Frenche ambassader, had gottin his dispatche about the 20th of Marche, yitt delayed he his departure, faining sicknesse and taking medicine, till the time of the conventioun. Then he came from Seton, where he had stayed certane dayes, for feare of invasioun, becaus of his masse and preest. He travelled among the nobilitie for an affirmative that the king was deteaned captive, to the end that the King of France being perswaded of a partie in Scotland, might send men or money, or both, with the duke, to restore him again. He tooke ship the 20th of Aprile; yitt appointed the Abbot of Sanct Colme, Lord of Down, and the Proveist of Glencluddan, to be agents in his businesse after he was gone.

THE KING'S PROGRESSE.

The king is desirous to tak a progresse, and writteth for some of the nobilitie, to have their advice. The lords reformers were not weill pleased with this motioun, yitt was it concluded in counsell, not without some difficultie. He entered in his progresse the 20th day of May, and tooke journey that day to Linlithquo. Marr, Angus, Bothwell, and Marshall, accompanied him.

THE LORDS REFORMERS RENUE THEIR CONFEDERACIE.

By the travells of the English ambassader and the ministers, the lords reformers composed their privat controverseis, and joyned themselves together in a straiter band of freindship than they had done before; and so were more terrible to their adversareis, whom they perceaved to gaine by their discord.

COLONELL STEWART'S AMBASSADGE.

The king's ambassader, Colonell Stewart, gott presence of the Queen of England upon the sixt of May. All the articles the queen refered to the counsell, except one, which concerned the advice of mariage; which she reservèd to herself to answere to. Commissioners were to be appointed for ratification of the band, and treatie of the league-defensive. Order was promised to be taikin with pyrats. Mr Archibald Dowglas was to be sent home upon some conditions. The onlie difficultie rested concerning the lands which apperteaned to the Ladie Margaret and the Erle of Lennox. A Scotish man of Dumbartan, called Smallat, came about this time out of France, from the duke to the queen, to thanke her Majestie for her favours, and to insinuat farther, under colour of faire promises. Colonell Stewart proponed to the Queen of England, that it was the king's desire to have the Erle of Arran at court again; and craved her Majestie's consent, becaus the king had promised he would not doe it without her consent. The queen called for Mr Johne Colvill, and enquired if he had the like commissioun. He answered, not; and that he supposed Colonell Stewart would not alledge anie suche thing, wherupon the colonell was forced to desist. The colonell returned from England the thrid of June, and went to Falkland to the king. He obteaned of the king, that the counsell sould not tak accompt of the discharge of his commissioun.

THE DUKE'S DEATH.

The Duke of Lennox ended his dayes the 26th of May. It was tried by physicians, chirurgeons, and others, who were present as spectators, that he was not poysoned in England, as was falselie surmised. His heart was taikin out, to be sent to our king; his bodie was layed in a leidden kist. He desired to be buried in Aubigney. He desired likewise before his death, that his letter be sent

to the Scottish king, wherin he recommended the estat of his childrein; and his heart embalmed. He died of a dissenterie, or excoriatioun of the inward parts, engendred of melancholie, wherewith was joyned gonorrhea. The report of his death came to Edinburgh the fourth of June. The Maister of Livingston, the Maister of Forbesse, and sindrie gentle men, Papists, returned about the same time out of France, where they left the duke deidlie sicke at Parise.

THE KING WITHDRAWETH HIMSELF FROM THE LORDS.

The king, greatlie greeved at the death of the duke, was the more exasperated against the lords reformers. He advised with Colonell Stewart how he might be freed out of their hands. It was devised that he sould withdraw himself secreitlie out of Falkland to Sanct Andrewes, and there remaine till suche noblemen repaired to him as he sould write for. So he went out of Falkland to Sanct Andrewes the 27th of June, accompanied with Colonell Stewart. After he had supped with the Erle of March, his grandfather's brother, he went secreitlie to the castell. The colonell tooke the custodie of the castell. Huntlie, Crawfurd, Montrose, Argile, came to Sanct Andrewes the day following, privie, as appeared, to the interprise. Marr sent to the Erle of Angus; Angus sent to the Erle Bothwell, to come over the water in all haste. But before that Angus and Bothwell came within six myle of Sanct Andrewes, they were discharged, by an herald of armes to come with forces. They obeyed, and went in quiet maner; and after they had spokin with the king, he commanded them to returne home, and remaine at their owne houses. It was thought that the Erle of Gowrie was privie to his departure out of Falkland. Others report that he was not privie to it, nor to the change made at Sanct Andrewes: but fearing that the king would remember his interteanement the last yeere, resolved to prevent the inconvenient, if it were possible, and, therefore, desired the king's licence to come to him in a privat maner. Others report that he

was sent for. When he came to the castell of Sanct Andrewes, without anie farther processe, he asked pardon upon his knees for the fact committed the yeere before, and professed himself penitent for the same, as also for the speeches he had uttered against the umquhile Duke of Lennox. Yitt, it is said, that he constantlie affirmed, that howbeit there was a fault in the forme, yitt the deid itself was not evill, in respect of the great danger that both religioun and the commoun wealth did stand into at that time. This was done in presence of Argile, Atholl, Rothesse, and some others. By seeking and accepting a remissioun he condemned himself and his whole associats, and in the end overthrew himself and the caus.

The king, his cheefe counsellers, and Colonell Stewart, the courteour, purposing to take their advantage against suche as favoured not their course, charged the Laird of Cleish, the Laird of Drumquhassill, and Mr Johne Colvill, to enter in waird. Drumquhassill obeyed, but Cleish went to England.

BISHOP ADAMSONE INVEYGHETH AGAINST THE LORDS AND THE MINISTRIE.

Mr Patrik Adamsone, called commounlie Bishop of Sanct Andrewes, had keeped his castell, like a tod in a hole, diseased of a great feditie, as he called his disease. He becometh now a whole man when the king cometh to Sanct Andrewes, occupieth the pulpit incontinent, declameth before the king, in a raging maner, against the ministrie and the lords, and all their proceedings. He keeped his castell since the Generall Assemblie in Aprile, anno 1582, till this time. He sought cure of weomen suspected of witchcraft, namelie, of one who was apprehended, tried by the presbyterie, and committed to the castell to his custodie, to be keeped to farther triell. He suffered her to escape out of the castell; yitt was she apprehended within three or foure yeeres after, and executed in Edinburgh. It was constantlie reported that the duke died a Papist; but he stoutlie contradicted the report in pul-

pit, and affirmed, for certan, that he died a Protestant; having in his hand a scroll, which he called the duke's Testament. A merchant woman, sitting before the pulpit, and spying narrowlie, affirmed that the scroll was a compt of foure or five yeere old debt, which, a few dayes before, she had sent to him. The bishop, who professed before that he had not the gift of application, now declameth and inveygheth, but inspired with another spirit than faithfull pastors are.

A CONFERENCE BETWEEN THE KING AND SOME MINISTERS.

The king sent for Mr James Lowsone, and challenged him for saying, that as the duke thristed for blood in his life, so he died in blood: for it was reported that he died of the bloodie fluxes. Alexander Clerk, Proveist of Edinburgh, had writtin to the king, and delated Mr James. But the mater was easilie past over betuixt them. At the same time, Mr Robert Pont, Mr David Lindsey, Mr Johne Davidsone, were directed by the presbyterie of Edinburgh to the king, to admonishe him to beware of innovations in court; to try reports before credit were givin to them, and to putt him in remembrance of Holt, the English Jesuit. They came to Falkland the 18th of Julie, and David Fergusone in companie with them; Mr James Lowsone was there the day before. They were brought in to the king's cabinet. Mr Robert Pont and Mr David Lindsey brake off, and advised him to beware of alterations. The king denied there were anie alterations. They answered, there was great appearance. The king said, there was no king in Europ would have suffered the things that he hath suffered. David Fergusone answered, "I would not have you like anie other king in Europ. What are they all but murtherers of the sancts of God, and the King of France in speciall? But yee have been otherwise brought up." "I am catholick King of Scotland," said the king, "and may choose anie that I like best to be in companie with me; and I like them best that are with me for the present." Some of the number were not weill pleased with these speeches. David

Fergusone said, "No, brethrein; he is universall king, and may make choice of his companie, as David did in the 110th Psalme." He had beene telling the king, a little before, that he had seene the king's paraphrase in meeter upon that psalme, commended it highlie, and exhorted him, that as he had acquainted himself speciallie with that psalme, so he would follow David's exemple. Then Mr Johne Davidsone, after he had professed his loving affectioun to the king, said, "Your Grace's governement hath beene a great blessing of God, which maketh us, indeid, to be mervellous carefull of your Grace's weelefare, and speciallie now, when we see evil companie drawin about you in your young yeeres: ye are in greater danger now than when yee were rocked in the craddell." The king said, he saw no danger, and few or none of the nobilitie to be preferred for their godlinesse. Mr Johne answered, "It is to be lamented there is so small godlinesse in anie of them as there is. But yitt, Sir, there is great difference betuixt them that, with their infirmiteis, alwise have professed the truthe and defended your authoritie; and betweene them that never loved the truthe, and have fitted the feild to pull the crowne off your head." David Fergusone, fearing that Mr Johne sould have gone too farre, interrupted him, and rounding in the king's eare, said, "There was no wisdome in keeping the murtherers that slue your goodshir and father, or their posteritie, about you." Mr Johne proceeded, and said, "It will appeare, if your deeds be agreeable to your words, if yee love not them that hate the Lord, as the prophet said to Jehosaphat: otherwise, we will looke no more to your words, but to your deeds and behaviour; and if they agree not, which God forbid, we must damne sinne in whatsoever person. Nather is that face upon flesh that we may, or will spaire, incace we find rebellioun to our God, whose message we carie. Nather ought your Grace to mak light accompt of our threatnings; for there was never one yitt in this realme, in cheef authoritie, that ever prospered after the ministers began to threattin them. (Here the king smiled headingfullie.) And, therefore, we beseeke your Grace to tak heed to your wayes, in God's obedience." Then David

Fergusone directed his speeche to Colonell Stewart, and exhorted him to bewar what counsell he gave to the king; "for assure your self," said he, "if yee counsell him to place and displace the nobilitie as yee please, they will not bear it at your hands, who is but a meane man." The colonell stormed at the first, but grew calm incontinent. After some faire speeches, as they took their leave, the king layed his hands upon everie one of them.

There was a proclamatioun at the Croce of Edinburgh, wherin ballats, bookes, libells, and hard speeches of the duke's death, were discharged, and intimatioun made that he died a good Protestant.

THE PROCLAMATION DATED AT PERTH, THE PENULT OF JULIE 1583, DECLARING THE KING'S INTENTION CONCERNING THE ALTERATION MADE AT ST ANDREWES.

"JAMES, by the grace of God, King of Scots, to our lovits, &c., messingers, our shireffs in that part, conjunctlie and severallie, speciallie constitute, greeting. Forsameekle as we, understanding the practises and bussie travells of some of our unnatural and disordered subjects, who, by misconstruing and misreporting, by word and by writt, of our owne good minde and proceedings, studie continuallie to interteane factiouns and unquietnesse within our realme, the rather to stay the ordinar course of justice, and to eshew the due punishment of their owne evill deserving: To obviat and resist the effects of which wicked speeches and travells, and to resolve and satisfie all our loving and good subjects that, peradventure, stand yitt doubtfull of the truthe of our meaning and doings: We, with advice of the Lords of our Privie Counsell, have thought expedient to ratifie and publish to the world, speciallie to our loving and good subjects, the truthe of our verie minde and lyking, tuiching our estat the yeere bygane, and of our present conditioun; declaring heerby, that howsoever we find our self come to the 17th yeer of our age, and remembring the troubled estat of our realme, through the frequent troubles and alteratiouns incurred in our young age in time past, (alway to our prejudice

and skaith,) but speciallie by that which fell out the last yeere, so farre to our offence, and to the mislyking of our minde; albeit, for publict quietnesse' sake, we indirectlie bare with the fact, and all that succeeded theron, yitt we had it alwayes in thought, so soone as God sould offer proper time and occasioun, to tak unto our self our owne place and state, to shew us a king indifferent to all our nobilitie and good subjects, and not to be led nor caried by anie special surnames or races, or by particular men in anie degree, to the prejudice of the commoun accesse which all subjects ought to have of their soveran lord and king. And, therefore, of our owne proper motive, upon the 26th day of Junie last, took purpose to passe from Falkland to our citie of St Andrewes, where, reposing in suretie till the conveening of a great number of the principals of our nobilitie, notifie unto them, at their comming, the effect of our proceedings and intentioun; permitting and licencing others not writtin for to passe home, whill we, with advice of suche chosin persons of our counsell as we elected to tarie with us, sould deliberat further in all things needfull concerning the suretie of our persoun, and conservatioun of the publict quietnesse of our countrie, wherinto we have occupyed our self cheefelie sensyne, intending, with God's grace, to governe our realme and subjects heerafter in peace and justice, and in professioun of God's true religioun, publictlie preached, and by law established, in the same, unseeking the hurt or evill of whatsomever our subjects, in respect of anie their bygane offences, if they sall tymouslie acknowledge the same with penitent hearts, and trust our forgivenesse therefor: which we are willing to grant to them, and by thir presents promise so to doe, they no wise provoking us, by anie other unlawfull and unquiett doings, to remember their former transgressiouns, and uncalling to minde anie factiouns that have beene in our minoritie, which we have, and will have, buried in oblivioun; as we will the like to be among our whole subjects, everie one to other, without anie querrell or questioun for anie thing that hath happenned and fallin out heretofore; and without casting up or querrelling others for this or that factioun, as we have givin good prooffe of our clemencie and

favour to some alreadie. Our will is heerefore, and we charge you straitlie and command, that, incontinent thir our letters seene, yee passe, and in our name and authoritie mak publicatioun of the premisses, by open proclamatioun at the heed burrowes of our realme, and other places needfull, that none pretend ignorance of the same; and that yee command and charge all and sindrie our lieges to conteane themselves in quietnesse, under God's feare and our lawfull obedience; and that none of them tak upon hand to move or provoke trouble, unquietnesse, or seditioun among our subjects, by way of deed, or show them the authors and instruments of alterations and novelteis tending to the disturbance of our estat, as they will answere upon their allegiance, at their highest charge and perrell, under the pain of incurring our indignatioun and displeasure, if they sall attempt anie thing in the contrare; as yee will answere to us therupon. The which to doe, we, &c.

"Givin under our signet, at our burgh of Perth, the penult of Julie, and of our raigne the 17th yeere, 1583.

"*Per actum Secreti Consilii.*"

Upon Saturday, the thrid of August, the king returneth from Perth to Falkland. Mr Bowes came to Edinburgh, malcontent with the proceedings of the court, crying out, "Fy, fy upon false dealing!" No promise keeped by the king, nather to the queene, his mastresse, the kirk, the lords, nor to himself.

THE COLONELL PROVOKETH THE SECRETAR.

The Commendatar of Dumfermline perceaving Colonell Stewart to be in great credit with the king, sent to him a velvet purse, with threttie foure-pund peeces of gold in it; craved and offered mutuall freindship. The colonell maliciouslie traduceth him to the king, as if he had sent this purse to betray the king. He gave the 30 peeces to thrittie of the guard. Everie man bowed his peece, and caried it hanging at his knapskall or hatt all the way, as they

came from Perth to Falkland: the purse was caried upon a speare point.

ARRAN RECEAVED IN COURT.

Upon Moonday, the fyft of August, Arran went over at the Queen's Ferrie from Kinneill, accompanied with fortie or fiftie horse. He came to Falkland that night to the king, and was weill accepted, and within few dayes beganne to looke braid.

PARDON OFFERED FOR THE ROAD OF RUTHVEN.

This day, the fact committed at Ruthven was disallowed, and all that had anie part in it were willed to come and crave pardoun, which was promised upon their good behaviour. Argile travelled with Marr, at Stirline, to come and crave pardoun, which he did. Easter Wemes likewise sought pardoun, and obteaned it. Angus and Bothwell past their time, in the meane time, in the south.

Mr James Lowsone, Johne Durie, Mr David Lindsey, Mr Andrew Hay, Mr Thomas Smeton, David Fergusone, Mr Patrik Galloway, were sent for to compeere at Sanct Andrewes, the 22d of August, at which time a conventioun was to be holdin. They compeered, and answered to the heeds proponed by his Majestie and his commissioners, as followeth :—

"First, Concerning that which fell furth the last yeere, for preservatioun of the kirk of God, the king's Majestie's person and commoun weale, we simplie submitt our judgements to an act made by the Generall Assemblie theranent." They agreed not to give this in, becaus, as the most part said, they were not demanded of it.

"Secundlie, Tuiching the estat of things present and to come, in uprightnesse of conscience we protest that we minde nothing but quietnesse and peace, under the obedience of our good God,

and the king's Majestie, wherof we have beene and sall be procurers, according to the Word of God, our owne callings, and duetie toward his Grace and commoun wealth.

"Thridlie, As to the late proclamatioun, declaring the king's Majestie's minde of his Grace's estate the last yeere, it apperteaneth not to our vocatioun curiouslie to inquire therof, nather know we anie of our number that have transgressed in that point, nather doe we purpose, in time comming, rashlie or unadvisedlie to speeke of that proclamatioun, or anie other; and solemnelie protest, that whatsoever we sall speeke, we sall leane upon the warrant of God's Word, conteaning our selves alwise within the bounds of our calling.

"Fourthlie, Forasmuche as we are heavilie burthenned by wrangous brute made, als weill of the whole ministrie in generall, as of some of us in speciall, we most humblie crave that his Majestie and your lordships would not suddanlie credit everie report, but to use diligent triell, wherby we are assured that our innocencie, and the ungodlie mindes of our accusers, sall easilie appeare.

"Last, Becaus we are come heere in few number at his Majestie's desire, without anie commissioun of the Generall Assemblie, and, therefore, may answere onlie for our owne parts; if his Majestie would crave anie farther, good it were to caus propone the same to the Generall Assemblie, where, with advice and consent of the whole number, resolution may be had."

DRUMQUHASSILL EXAMINED.

In time of the conventioun, Drumquhassill was brought from Blacknesse to Sanct Andrewes; was examined, and therafter wairded in the castell.

THE CONVENTIOUN DISSOLVED.

Upon Fryday, the 24th of August, the conventioun dissolved, without concluding anie thing of importance, except the conceav-

ing of a new proclamatioun, sharper than the former, against the Road of Ruthven, which was sett furth in print.

MARR, GLAMES, DUMFERMLINE, WAIRDED OR CONFYNED.

The Commendatar of Dumfermline came to Falkland. The king gave him verie good countenance, yitt was he convoyed to Colonell Stewart's chamber, and keeped there till Moonday the 27th; or, as others report, was taikin by Colonell Stewart himself at the king's command, and sent, upon Moonday the 27th, to the fortalice of Lochlevin; for the Laird of Lochlevin was confynned in the north, becaus he favoured the other factioun. The fortalice was committed to the Erle of Rothesse, and squldiours putt in it, to keepe it. The Maister of Glames was charged to enter in Dumbartan within three dayes; Marr was committed to the Erle of Argile's custodie, till he goe out of the countrie.

SECRETAR WALSINGHAM'S CONFERENCE WITH THE KING.

Secretar Walsinghame came to Edinburgh, the first of September, directed in ambassadge from the Queen of England to our king. Upon the seventh of September he road to Stirline, and frome thence to Perth, where he gott presence of the king. He required the king, that his Majestie would continue in freindship with the Queen of England; which he promised, providing she intended nothing against him. When Secretar Walsinghame asked, how her Majestie might be assured? he answered, By his owne handwritt. Secretar Walsingham replyed, as is reported, that her Majestie had his hand-writt before, for sindrie things, and among the rest, that Arran sould not come to court. The king answered, he was then in feare of his life, and in their hands of whom he was not assured; but now, being at libertie, the thing he promised he would stand unto.

THE GREEVES WHICH SECRETAR WALSINGHAME PRESENTED TO THE KING, IN NAME OF HIS MAISTRESSE.

First, For that the late alteratioun was made without her Majestie's privitie, contrare to his promisses by letter, his owne ambassaders, and to her ambassaders.

His strait dealing against sindrie noblemen, and others weill affected, constraining some of them to accept remissioun for a fact approved by an instrument in the word of a prince, by act of counsell, convention, and Assemblie Generall of the church; as also, contrare to his letter of the secund of Julie 1583.

The immediat removing of his servants and officers, without anie stay to acquaint her Majestie therewith, notwithstanding that he was required therunto in her Hienesse' name, by her ambassader resident there, directed so to doe.

His progresse in this actioun expreslie against her Majestie's requeist, by her letter with her owne hand.

The revocatioun of Arran, against his Hienesse' often promises and assurance particularlie givin to her Majestie in that behalf.

That notwithstanding his Highnesse franklie offered to apprehend the two Papists with Lennox, yitt he suffered them to depart into France.

The escape of Holt in that strange maner, approving thereby, that he had more regard (as her Hienesse conceaveth) to content Manningvill, in respect of a secreit promise, than to satisfie her Majestie.

AT PERTH, 12 SEPTEMBRIS 1583.—ANSWERES OF THE KING'S MAJESTIE TO THE GREEVES PRESENTED BY SECRETAR WALSINGHAME, AMBASSADER TO THE QUEEN'S HIENESSE OF ENGLAND.

"His Majestie esteemeth that the queene, his deerest sister, continuing in her former care of his weilfare and standing, must also, of necessitie, allow of his proceedings tending to his honour,

suretie, and contentment, as the late procuring of his owne releefe and libertie hath beene, and is, in respect he himself was the onlie doer therof; and that he now of himself also offereth unto her als great good will, and more arct amitie, than ever anie of his subjects, through anie qualitie in them, was able to offer in his name of before. And where she accuseth him of promise, seeming to allow of his late hard estat, he trusteth she understandeth how he shewed his mislyking of the proceedings of the authors of his restraint then about him, both to her cousin and late ambassader, Sir George Carie, and to Bowes, left heere resident. For anie promise not to alter the same, howsoever the conditioun of the time, the danger of his persoun, to eshew civill warre, moved him so to show himself contented to doe, yitt was it alwayes so meaned, if they sould behave themselves as his duetiful subjects therafter, returning them home, and leaving his Hienesse in the companie he best liked of, as once they promised to doe: howbeit, meaning nothing lesse, and continuing in more dangerous courses for his person and estat than before, as partlie are discovered, and may appeare by absenting of sindrie of them from triell. It behoveth his Majestie to seeke and provide for his owne suretie, which if he had delayed, had muche more endangered his estat than it that is done, as her Majestie, he doubteth not, sall shortlie by good experience understand. For which causes he esteemeth, and is surelie persuaded, that the queen, his deerest sister, in consideration of the good will borne, not onlie by him towards her, but by all his good subjects that respect his estat and weale, to the continuance of their amitie, sall thinke it more sure and convenient to deale now with himself than heeretofore it was, in his unperfyte age, with anie his subjects in his name. His Highnesse hath used no strait dealing against anie nobleman or others, his subjects weill affected to him; but his proceedings have beene and are according to the lawes of this realme, alwayes mixed with mercie to such as acknowledge their offence, crave his pardoun therefor, which he doubteth not but the queen, his deerest sister, and all others, will esteeme in him a gracious and favourable dealing. For the approbatioun of the fact by his

word, act of counsell, or conventioun, he doubteth not also but her Majestie, and all other princes in Europ, know how, in the meane time, and long therafter, he was yitt still captive, restrained of his libertie; and yitt by that act they could pretend no assurance for anie unlawfull deid attempted after the date therof, wherin they continued, rather with greater outrage and appearand perrell to his Highnesse' person and estat than of before, as had provin shortlie by effect, if their practises and dangerous matters intended had not beene prevented. For which causes cheefelie his Hienesse hath beene moved to seek the triell of some, and the deserved punishment of their offences. And to that conventioun verie few others nor the perpetrators of the fact and their associats assembled, the most and best part of the nobilitie and estats absteaning, by their presence or assents, to allow the same; and of such as came, some, although they disallowed it by their votes, yitt, by his Majestie's privie requeist, through the considerations before specified, were moved to subscrive the same.

"And the said approbatioun pretended of the Assemblie of the Kirk, in a mater of the self so civill and politick, and little concerning them, proceeded rather of opinioun conceaved of his Majestie's owne allowance and consent, than of anie right and due consideration of the circumstances of the caus, incace that had been a convenient judgement therof. Alwise, the truthe is, that one of his Hienesse' domesticks, taiking upon him a message in his Majestie's name, without his knowledge or directioun, had (as sent from his Hienesse) sought the same approbatioun, wherof, how soone his Majestie understood, he utterlie disallowed the fact, avowing that the messinger sould never therafter serve him, as in truthe, for that same caus, he was removed from his Hienesse and service. And for anie thing writtin by his Hienesse, in his letter of the secund of Julie, he is weill able to explane his owne meaning therin, and to performe his lawfull promises everie way, as in honour and reasoun apperteaneth.

"Toward the removing of his Hienesse' servants and officers, he trusteth her Majestie, respecting that he is a free prince, and

can best judge who is meetest for his owne service, and what her self would doe in the like cace, sall no wise, in reasoun, thinke his Hienesse' new choice anie greefe to her Majestie.

"Nather yitt his progresse in his late proceedings, what soever it pleased his Hienesse to write in the letter with his owne hand, not doubting but all princes sall worthilie esteeme the fault done unto his Hienesse haynous, and weill deserving punishment, with the doings of the authors sensyne; and the necessitie of his Hienesse' present conditioun could not suffer to be altogether delayed: yitt hath none susteaned harme in lands or goods that yeelded their due obedience, or that was not weill knowne to have travelled to the endangering of his Hienesse' estat, in whose favour, he trusteth, her Majestie will never requeist nor perswade.

"Tuiching the revocatioun of the Erle of Arran, as his imprisonment ensued upon his Majestie's restraint, so could not his releefe and libertie be effectuallie knowne and published without calling again of the said erle to his Hienesse's presence and companie; and according to his Majestie's promise, he made her Hienesse foreseene of his doings in that behalfe by his letter, as likewise, following her good advice, effectuallie travelled, and brought to passe the accord of the querrells among sindrie of his nobilitie; speciallie betweene the Erles of Arran and Marr, immediatlie after the returne of the Erle of Arran to his presence.

"And toward the departing of the two Englishmen called Papists, by the west sea, true it is that they past away indeid before his Hienesse' officers, and others directed hither, could apprehend them, whereof his Hienesse gave advertisement immediatlie therafter, and Bowes, if he list, can declare the truthe of his Hienesse' good will and diligence shewed in that behalfe. And for the escape of Holt, it is not to be thought so strange a mater as is objected, since suche an accident can be thought no noveltie in Scotland nor England, and some of his Majestie's owne subjects have semblablie escaped out of the same place, and about the same time, with whom it is weill knowne his Hienesse hath great cause of

offence; nather hath her Hienesse anie just caus to conceave anie suche caus of his Hienesse for the causes predict.

"By commandement of his Majestie, in absence of the Secretar,

"HAY."

I find in a certan manuscript, that the king gave this answere following to Secretar Walsinghame. His Majestie assured him that he was resolved to harme no man, nor putt at anie man farther in bodie, lands, or goods, for the publict fact at Ruthven; "they behaving themselves as duetifull subjects heerafter, not having dealt with anie other privie practises against our person, weale, suretie, nor estat, the which we doubt not but the queen, our deerest sister, will both allow, and assist in triell, taiking, and punishing of the same. As for anie putt at presentlie, upon just triell of their innocencie in others their privie practises and dealings prejudicial to us, as said is, they finding suche noble men cautioun, and answerable for them, whom we can like of and trust into, that they, and ilk one of them, sall be answerable to us in doing their duetie and obedience, we will use our former clemencie as to our good subjects. We are content, at our nixt parliament, according to our deerest sister's advice, to assure all our good subjects, that we minde to call, accuse, nor harme, no man for the publict causes bypast, as the civill troubles taikin up by act of pacificatioun, as likewise the publict fact at Ruthven; excepting alwise the three murtfiers, and other privie practises before mentioned, as they are or sall be tried heerafter. We have resolved, at our nixt parliament, and after that our estats have proponed unto us a number, to choose upon, as sall be most meete to give us advice and counsell, to elect suche as are best affected to religioun, suretie, and tranquillitie of our estat, and best like of the amitie betuixt us and our deerest sister. We require, that the said secretar be a good instrument, to hold fordward the treatie for renewing of the peace betuixt both the realmes; as also, for commissioners meeting tuiching the effaires of the borders: that there be suche a person chosin, by whom there may be at all times a

privie and sure intelligence past betuixt us and our deerest sister, for the more full interteaning of amitie and good love among us."

Secretare Walsinghame departed about the 12th of September.

A NEW OFFER OF PARDON.

About this time, divers proclamations were made, offering pardon to all that would seeke the same. But suche as were upon the interprise of Ruthven feared to come to court, becaus, the Abbot of Dunfermline hanting the court, and suspecting no evil, was wairded in Lochlevin, and, as the brute went, was in hazard of his life. For answere to the rumors that were spread, and doubts putt into men's hearts, that the king intended, notwithstanding of the late proclamatioun made at Perth, to call men to accompt for the publict attempt made the last yeere, becaus some were committed to waird, and some had fled, a declaratioun was published the 21st of September, wherin the king assured all the subjects, that the order latelie used against anie particular persons, hath beene onlie for trying of certan privie and particular attemptats practised to have beene committed against his person and estat, both before and after the said publict act: that some fearing and finding themselves guiltie, would perswade men, that they are persued for that publict act: that that pretence was most false: that as he promised to his deerest sister, the Queene of England, he would keepe inviolablie his promise, and yitt offereth pardon to all that will humblie crave the same; assuring all the subjects, that he mindeth no harme to anie nobleman, for whatsoever publict caus bygane, not doubting but the subjects who have heeretofore offended him will procure his gracious good will and clemencie, by duetifull obedience and good behaviour.

The Abbot of Dumfermline was sett at libertie, out of Lochlevin castell, upon the 23d of September, upon cautioun to remaine in Dumfermline, and five or six myle about, under the paine of ten thowsand pounds.

THE COURTEOURS FORTIFIE THEIR OWNE FACTION.

The Erle of Marr, confyned in Argile, was commanded to rander the castell of Stirline to the king and counsell, under the paine of treasoun. The king gave it in keeping to the Erle of Arran, who was also appointed Proveist of Stirline. The Erle of Crawfurd was made Proveist of Dundie, by the king's letters, after that the toun had long resisted. Robert Lord Boyd was charged to compeere by himself, or his procurator in his name, before the Secreit Counsell at Falkland, or where it sall happin to hold, and there resigne in the king's hands, and dimitt the bailifferie of the Archbishoprick of Glasgow, with the pertinents and pendicles therof, together with all the right, title, entreisse, or clame, he now hath, or had at the making of his promise to the umquhile Duke of Lennox, in and to the same, in favours of the said duke, and for infeftment to be made to him therof, conforme to his promise forsaid. The castell of Glasgow was randered to Montrose. The old Proveist of Edinburgh, Alexander Clerk, was continued in his office. So, the court fortified themself the best way they could against anie dangerous interprise. Mr Bowes, the English ambassader, tooke his leave of the king the secund of October, and tooke journey toward England the fourth of October.

THE FORTIE-EIGHT GENERAL ASSEMBLIE.

The Generall Assemblie conveened at Edinburgh, in the New Kirk, the tenth of October. Mr Thomas Smeton, last moderator, made the exhortatioun. He was vehement against the negligence and unfaithfulnesse of ministers. Mr Robert Pont was chosin Moderator. Mr James Lowsone, Mr Andrew Melvill, Mr Thomas Smeton, Mr Johne Craig, Mr Walter Balcalquall, Mr Peter Blekburne, Mr Andrew Polwart, Mr Johne Davidsone, Mr Nicoll Dagleish, Johne Durie, the Lairds of Braid and Pilrig, and the Commissioners of Edinburgh, were chosin assessers, to consult with the moderator upon suche things as they sall thinke meete to be propouned during the Assemblie.

Commissioun was givin in the last Assemblie to certan brethrein, to sight and consider the forme of the new erectioun of the Colledge of Aberdeen, with the principall compts therof; and to some other brethrein, to conveene at Sanct Andrewes, for examinatioun of the members of the said Colledge of Aberdeen. Becaus sindrie excuses were alledged for not executioun, the Assemblie gave commissioun to Mr James Lowsone, Mr Andrew Melvill, Mr Nicoll Dagleish, and Mr Thomas Smeton, to read and peruse the said erectioun and compts, and give their judgement therupon before the end of the Assemblie. Commissioun was givin to the rector, Mr Andrew Melvill, Mr Thomas Buchanan, Mr Robert Wilkie, and Mr James Martin, to examine and trie the qualiteis of the members of the Colledge of Aberdeen, if they be conforme to the order and provisioun of the new erectioun. It was ordeaned, that the said examinatioun sall beginne and proceed at Sanct Andrewes, after this maner, viz., the sub-principall and one of the regents, the sixt day of Marche nixt to come, and the other two regents the first day of Aprile nixt therafter; and that Mr Peter Blekburne, Minister of Aberdeen, warne the saids members and regents to compeere at Sanct Andrewes, at the times and in maner above specified, to be tried and examined, as said is, by the saids commissioners, under paine of disobedience to the Assemblie; and that they report their proceedings to the nixt Assemblie. The brethrein appointed to peruse the erectioun and compts reported their judgement in the elleventh sessioun, and it was approved. The Assemblie giveth commissioun of new, for visitatioun of the Universitie of Sanct Andrewes, to trie how the rents therof are bestowed, what order and diligence is used by the regents in teaching, if the same be correspondent to the act of parliament, and how order is keeped among the students, to Mr Andrew Polwart, Mr Thomas Buchanan, Mr Nicoll Dagleish, and William Christisone. They were ordeaned to conveene the sixt day of Marche nixt to come, and to report their proceedings to the nixt Assemblie. Mr Robert Wilkie protested, in name of the universitie, that the said commissioun prejudge not the liberteis and priviledge of the universitie.

The commissioners appointed to revise the travells taikin by Mr

Craig, in collecting the Acts of the Assemblie, reported, that God was to be praised for his labours; yitt, some things they had marked, wherupon they desired conference with him, and therafter would proceed with him to farther reasoning.

The commissioners appointed in the last Assemblie to proceed against the Bishops of the Isles, Dunkelden, Dumblane, and Sanct Andrewes, but speciallie these who had commissioun for the Bishops of the Isles and Dunkelden, reported their proceedings in writt. Becaus the Bishop of Dumblane pretended he wanted the act of the Assemblie, the Assemblie ordeaned the former commissioun to be executed in all points. In the ellevinth sessioun, the processe led by the presbyterie of Sanct Andrewes against Alesone Person, together with the processe led against Mr Patrik Adamsone before the said presbyterie, and before the Synodall Assemblie of Fife, were exhibited to the Assemblie, in the thritteenth sessioun, which were read, together with the depositions of the witnesses led against him. The Assemblie ordeaned their brethrein, Mr Andrew Hay, Johne Johnstoun, and James Ramsay, to collect the depositioun of the witnesses, and the articles they prove. The Bishop of Sanct Andrewes had beene wairned by the Synodall of Fife, *apud acta*, to compeere before the Assemblie upon the thrid day. Commission was givin to the minister of Dundie, to admonish the young Laird of Fentrie, who, after his returning to the countrie, stayed over the time limited by Act of Parliament, without making confessioun of his faith, to subscrive the said Confessioun; and if he obey not, to proceed with the sentence of excommunication against him upon the fourth Sabbath day after; and if he obey, that his solemne oath be taikin to everie article, and that he be injoyned to subscrive the samine before the congregation publictlie; and therafter the presbyterie sall injoyne satisfactioun to him for his apostasie. Forasmuche as the constitutioun of presbytereis within this realme being considered to be most necessar and profitable for the whole kirk, yitt, for interteanement of good policie and discipline therin, if the same be duelie and accordinglie erected, the Assemblie hath advised, and thought it meete, that the brethrein af-

ter specified sall visite particularlie the bounds after following, viz., Mr David Lindsey, Mr Alexander Hume, and Mr Johne Robertsone, from Dee north to Tayn, and the said Mr Johne to meete them at Elgine; Mr Andrew Hay, Mr Andrew Polwart, Mr Gilbert Gairdin, from Dee to Forth; Mr George Hay, Mr Thomas Buchanan, James Andersone, Johne Clappertone, from Forth to Berwick, by East Clyde as after followeth, viz., the said James from Edinburgh west, the said Johne from Edinburgh east, and the said Mr George and Mr Thomas the rest of the saids bounds; Johne Durie, Mr Johne Davidsone, and the minister of Glasgow, the whole bounds from Clyde, both to the south and west; and betuixt this and the nixt Assemblie diligentlie consider the estat of the whole presbytereis within the saids bounds, where they are erected; see if there be uniformitie of order and policie keeped among them, and, as they find just caus of reformatioun, to putt hand thereto, and reforme the same; as also, where no elderships are yitt erected, to plant and erect the same, and of their diligence concerning this commissioun to give accompt at the nixt Generall Assemblie; and that the presbytereis where their brethrein remaine and serve tak order for provisioun of their kirks in their absence. Commissioun was givin to some brethrein, to putt in forme the articles which were to be presented to the king, together with the instructions to be givin to the presenters.

THE TENOR OF THE ARTICLES.

"Sir, The strait commissioun we have receaved of the Eternall, our God, when as in this your Majestie's realme we were made watchmen of his people, and fearefull threatning pronounced against suche as neglect faithfullie to execut everie part of their weightie charge, compelleth us, presentlie to have recourse unto your Majestie, perceaving manie things to fall furth greatlie to the prejudice of God's glorie, and no small appearance of utter wracke of this his kirk and commoun weale, unlesse some haistie remeed be putt thereto; most humblie, therefore, beseeking your Majestie dili-

gentlie to weygh and consider thir few heeds, which, with all reverence and observance, we present, looking for a gracious answere and speedie redresse therof.

"First, It is a great greefe to the hearts of all them that feare God, to see Papists, apostats, sworne enemies to Christ, to your Grace, and all your faithfull subjects, forfaulted for their treasoun, some also suspected, and heavilie bruted with the murther of the most noble person of your umquhile father, impugners of the truthe by word and writt, continuing still in their wickednesse, unreconciled to the kirk, to receave of your Majestie the benefite of pacificatioun, to the prejudice of faithfull ministers, whom violentlie, by that meanes, they labour to dispossesse.

"Secundlie, That others, from their youth nourished in the kirk of God with us, and sensyne fearefullie fallin backe therefra, and become open renegats, and blasphemers of the truthe, and mainteaners of idolatrie, and that man of sinne, Lieutenant of Satan, and oppressors of God's people, and yitt, notwithstanding, are receaved in court, authorized, and so farre countenanced, that they are become familiar with your Majestie; wherethrough, beside the greef of your Grace's faithfull subjects, manie are brought to doubt what sall ensue upon suche beginnings.

"Thridlie, That a wicked and obstinat Papist, sent into the countrie to traffique against God, and quietnesse of your Grace's estate, and, therefore, as worthie of death, committed in waird at your Grace's command, with sure promise that he sould not escape punishment; yitt, as we understand, was by indirect meanes lett depart, and no triell taikin to find out the author of his deliverie.

"That your Majestie seemeth to have over good lyking of the enemeis of God, als weill in France as some within this realme, who have never givin testimonie of anie good meaning, ather in religioun or in your Majestie's service; beside the dissolute life, and irreligious behaviour of them that, in your Grace's service, have succeeded to men that were knowne zealous in God's caus, and faithfull to your Grace in your tender age.

"Sincę your Majestie tooke the governement in your owne hand,

manie faire promises have beene made, that order sould be taikin for preservatioun of the kirk of God, and continuance therof to our posteritie. Yitt, after long and continuall sute, nothing is performed; but in place of redresse, daylie the kirk is bereft of their priviledges and liberteis.

"The thrids are sett in tacks for summes of money, in defraud of the kirk, so that no minister heerafter can be provided. Abbaceis are dispouned, without anie provisioun made for ministers serving in the kirks annexed thereto, directlie against the Act of Parliament.

"Spirituall livings are givin to bairns, and translated in temporall lordships.

"That there is no punishment for incest, adulterie, witchecraft, murthers, abominable and horrible oaths, in suche sort that daylie sinne increaseth, and provoketh the wrath of God against the whole countrie.

"There is a sore murmure among your Grace's lieges, and a lamentable complaint that the lawes of the countrie have no place; that no man can be sure, nather of his land, life, or goods, which threatneth a miserable confusion, and the heavie hand of God to ensue therupon.

"That oftentimes your Majestie interponeth your Hienesse' authoritie, by letters of horning, to stop the execution of the acts made in the Generall Assemblie, in maters properlie belonging to the kirk, and nothing tuiching the civill estat.

"Last, We most humblie beseeke your Majestie to suffer us lament this great divisioun among your Hienesse' nobilitie and subjects, the one part seeking by all meanes possible, for their owne particular, to perswade your Majestie to wracke the other; which fostereth a continuall strife, malice, and rancour, to the great danger of your Grace's person, whom God preserve to the kirk of God and this poore countrie; bespeking your Majestie, for the tender mercie of God, to call to your Hienesse some of the most wise, discreit, and indifferent, and by their counsell to tak a moderat course, that unquiett spirits may be bridled, good men cherished and interteau-

ned, and the hearts of all your Majestie's subjects united, to the maintenance of God's glorie, preservation of your royall estat, and confort of all them that bewaile this miserable desolation."

THE PARTICULAR INSTRUCTIONS AND MORE FULL DECLARATION GIVIN BY THE GENERALL ASSEMBLIE TO THEIR COMMISSIONERS, DIRECTED TO THE KING'S MAJESTIE, THE 12TH OF OCTOBER, UPON EVERIE HEED OF THE ARTICLES GENERALLIE PROPONED.

"First, How heavilie the godlie are offended, and the whole kirk slandered, that Mr David Chalmers, a man notoriouslie knowne unto his Grace and counsell to be not onlie a formall and professed enemie against the truthe of Christ's religioun, a plain practiser and traffiquer against the same, but also against his Hienesse' authoritie and estat in all parts where he hath travelled, having heerewith resting upon his head the foule brute and commoun suspicion conceaved in the hearts of manie, upon no small or obscure presumptions, of the cruell and barbarous murther of the most noble person of umquhile his Majestie's father, of good memorie, sould be so suddanlie, and with suche small accompt, entered in mercie and grace, and receave his Majestie's pacificatioun, with letters to dispossesse his Majestie's faithfull servants, and ministers of God, of their livings and possessions, no due satisfactioun being made to the kirk: A mater no lesse importing great prejudice to his Hienesse' noble estat, than tuiching his Majestie in the highest point of his honour; and, therefore, his Hienesse would be moved wiselie to looke upon the consequence therof; and, in consideration of this weightie greef, would call backe and suspend the effect and force of anie thing yitt granted to him, and the charges givin to his repossessioun, untill the time that, after just and lawfull triell, his innocencie be agnosced, and the whole kirk, so farre offended in his person, be satisfied, and the same satisfactioun be returned from the kirk to his Grace.

"The young Laird of Fentrie, directed into this countrie, as we are surelie informed, to practise with his Grace and his faithfull

subjects, for overthrow of religioun, by moyen of freinds increeping in court, and where ever he cometh, plainlie mainteaneth papistrie; and under colour of conference, which by all meanes he fleeth, doeth great slander in this countrie.

"The Thrid article is notour.

"By the Ferd article is meant the King of France, the Duke of Gwise, and other Papists there; and likewise within the countrie, the Erle of Huntlie, the Erle of Crawfurd, and others.

"The kirk is hurt in their liberties and priviledges sindrie wayes, as will appeare in the articles as follow.

"Tacks of the thrids of Hadinton and St Andrewes sett to the Laird of Segy.

"The abbacie of Arbrothe is disponed to the duke, and no provisioun made for ministers.

"The abbacie of Halyrudhous to the abbot's young sonne; siclyke, the Abbot of Newbottle's sonne provided to the abbacie.

"The nynth notour, and so is the tenth; as, for example, Mr George Gairdin being provided to the personage and vicarage of Fordice, in the 68 yeere of God, and yitt standing titular therof, the king's Majestie hath sett in tack the fruits of the saids benefices to Robert Stewart of Todla, and command givin to the Lords of Sessioun to grant letters upon the said tack.

"Mr Alexander Arbuthnet is charged, against the acts of the kirk, to remaine in the Colledge of Aberdeen, under the paine of horning.

"The ministers of the chapter of Halyrudhous are charged, by letters of horning, to subscrive the gift of pensioun made to the Person of Pennycooke his wife and sonne, for their lyfetimes, siclyke against the same act.

"The greeves of the Assemblie were sent to Stirline, to the king, upon Saturday at night, which day the king came to Stirline. The commissioners returned with small contentment. When the king's answers were read before the Assemblie, and confered with their articles and instructions, the brethrein thought a great part of them were not yitt satisfied. As tuiching the Laird of Fentrie, they

thought good his Grace sould be informed concerning the testimoniall alledged givin to him. As to the rest of the articles, except that which concerneth the changing of abbaceis in temporall lordships, that they may yitt seeke better answeres. At length, they receaved these slender answeres which follow:—

THE TENOR OF THE KING'S MAJESTIE'S ANSWERS TO THE ARTICLES OF THE ASSEMBLIE.

"His Majestie having considered the heeds, and confered with the messengers tuiching the meaning and explanatioun of the generaliteis therof, understanding the first point to be gathered of the granting of the benefite of pacificatioun by his Hienesse to Mr David Chalmer; his Majestie knowing that man onlie to have beene forfaulted for that commoun actioun of his being at the feild of Langside, for which pardon was granted to so manie, thought it no new or strange thing, at the requeist of suche as earnestlie moved his Hienesse, to grant unto him the like benefite, as manie others for the like caus had of before obteaned: Yitt, no wise intending to spaire the due punishment of him, or anie others, that may be charged, or may be found culpable of the murther of his Hienesse' deerest father; or that are, or sall be adversareis to the religioun, and impugners therof, against his Hienesse' lawes made theranent, the executioun of which his Majestie hath beene, is, and will be willing to farther.

"The Secund heed, generallie conceaved, being particularlie meant of the young Laird of Fentrie, his Majestie wisheth the Assemblie to remember, how his Hienesse hath dealt in this mater, and what testimoniall the kirk of Edinburgh granted to him. His Majestie hath not hindered the proceedings of the kirk against him, nor no other, but meaneth to hold hand thereto, according to the lawes.

"The Thrid heed being speciallie meant of one William Holt, Englishman, that escaped out of the castell of Edinburgh, his Majestie hath answered the Queen of England's late ambassader, who moved his Hienesse in that mater, not long since. It is no un-

couth[1] thing, to heare suche a man escape. Alwise, what they understand by anie indirect meanes used for letting him depart, his Majestie being speciallie informed therof, will, after due triell, see the offenders punished according to their deservings.

"The Fourth heed being verie generall, his Majestie thinketh the Assemblie will not think it pertinent for them to have vote in the choice of his Majestie's servants, or to be over curious of the occasions of the placing or removing of them; nather yitt of the intelligence betuixt his Hienesse and anie forraine countreis, for interteaning of civill peace and amitie, from the which no princes or commoun wealth in the world absteaneth, although being diverse in religioun.

"The Fyft heed, containing a generall complaint upon certan speciall maters appearandlie expressed in the maters therafter following, his Majestie wisheth the Assemblie, as they would be speciallie and directlie answered, so to forme their petitions, forbearing in particular exemples to ground generall propositions; and to remember that since his Majestie tooke the governement in his owne person, there are moe good and profitable lawes made for advancement of the kirk and true religioun nor of before, the default of the execution therof, and performance of promises, not standing in his Hienesse' default.

"The Sixt, meaning speciallie of the tack sett to the Laird of Segy, of certane victuals out of the superplus of the thrids which he had of before in pensioun, that was no new forme, nor anie wise prohibited. He could als weill content him with the pensioun as he had it of before, free of all payment of duetie. The necessar considerations that moved the granting therof are weill eneugh knowne to manie. He is imployed in publict service; wanting the living wherunto he is provided in title, during his father's lyfetyme; and his service is and may be necessar, both for his Hienesse and the kirk.

"For anie thing that may be thought omitted, toward provisioun of ministers serving at the kirks annexed to abbeyes, in the late dis-

[1] Now contracted into *uneo*—strange, unusual.

positions of them, that is weill supplied by Act of Parliament, the execution wherof hath rather stayed thir two yeeres past in their owne default; or otherwise, they, craving to have their assignations continued, as in the yeeres preceeding, and as yitt not having directlie answered to his Majestie's message, sent with his Maister of Requeists to the Assemblie, holdin at St Andrewes. Alwise, his Majestie made choice of certan barons, and others of good appearance, knowne zealous to the furthering of that good work, lippening to have had the assignations formed before the Assemblie; but being uncertan of the time appointed therefor this yeere, is doubtfull if they be come in Edinburgh; where if they be, his Hienesse sall send directioun to them to proceed; or incace of their absence, sall appoint others, so as the assignations may proceed, and so other things as are most needfull resolved, without anie farther delay.

"Tuiching the giving of the spirituall livings to bairns, and translating them in temporall lordships, his Majestie considereth his owne skaith, and hinderance of his service therin. Whatever abuse hath entered before his Hienesse accepted the governement, time, and the approbation of suche provisions, by decreits of the Sessioun, hath brought the mater to that strait, as it can not be otherwise helped than by the Parliament; unto whom this being proponed, his Majestie sould hold hand to have suche reformatioun in this behalfe as possiblie can be obteaned.

"The default of punishment of the vices mentioned in the Nynth heed, and of the act for provision of the poore, and punishment of vagabounds, must not justlie be imputed to his Hienesse, who hath ever been willing and readie to grant commission to suche as the ministers thought meetest to execut the same, where inhabilitie was in the judges ordinar.

"The Tenth heed being generall, his Majestie would be glade not onlie to have it explained, but to heare all good advices that sall be offered to him, for reformatioun of that which may be found amisse; and how his lawes may have place, and justice be mini-

stred, to the confort and commoun benefite of all his good subjects.

"The Elleventh heed is also verie generall; and for the onlie one exemple that hath beene spokin of to his Highnesse, tuiching the removing of the Principall of the Colledge of Aberdeen to be minister of Sanct Andrewes, his Majestie trusteth the Assemblie will not thinke that mater (the circumstances weill considered) ather so proper to the kirk, or so improper to the civill estat; but that his Hienesse and his counsell had good grounds and reasons to direct his letters as he did, upon the generall of the north countrie; wherin none was prejudged, seing there was nothing conteaning power to denounce at the first, but rather to doe the thing required, or compeer and shew a caus in the contrar."

ACTS.

It was determined and resolved, that it sall not be leasome to anie particular brother, in anie Generall Assemblie, to call in questioun anie act concluded before in a Generall Assemblie, no caus of changing therof interveening.

2. It is ordeaned that the moderator of the Assemblie receave from the clerk the extract of commissions givin to brethrein, incace they be absent from the Assemblie; and that he direct them tymouslie to the said brethrein, that the said commissions want not due executioun, upon pretence of their absence, and ignorance of the same.

3. The Assemblie ordeaned everie presbyterie within their owne bounds to call before them the beneficed persons within their jurisdictioun, and trie how they have keeped the act of the Assemblie tuiching the dispositioun of their ecclesiasticall livings; and wherin they have transgressed to report to the nixt Assemblie, by the moderator of the eldership, or commissioner, as they will answere to God and his kirk.

4. The Assemblie ratifieth and approveth the act made upon the

penult day of October 1578, concerning setting of fewes and tacks of benefices and ecclesiasticall livings, or anie part therof, by suche as beare the functioun of the ministrie; with this declaratioun, that under the said act all pensions and factoreis, and whatsoever other dispositioun of the benefice, or anie part therof, without consent of the Generall Assemblie, is, and sall be comprehended in time comming; and that the disponers therupon sall incurre the penaltie conteaned in the act of the date the 12th of Julie 1578. And for the particular observatioun therof, Mr Andrew Blackhall, in name of the chapter of Halyrudhous, is charged not to subscrive the gift of pensioun givin to the Person of Pennycooke by the said abbot, under the paine conteaned in the said act.

5. That no act, or anie other thing proceeding from the particular presbytereis, have faith in time comming, unlesse the samine be subscrived by the moderator and the clerk.

6. Commissioun was givin to Mr Thomas Smeton, Mr Andrew Melvill, Mr James Lowsone, Mr Peter Blekburne, Mr Nicoll Dagleish, Mr James Martin, and Mr Robert Wilkie, to draw furth and collect, als farre as their memorie in shortnesse of time might serve, suche propositions, as they find erroneous in profane authors read in the schooles, and speciallie in Aristotle, and to report to the Assemblie. After their report, this act following was made therupon :—"Forasmuche as of reading in schooles of profane authors, wherin manie things are writtin directlie impugning the grounds of religioun, and speciallie in the philosophie of Aristotle, oft times the youth being curious, and of insolent spirits, drinke in erroneous and damnable opinions; and founding them upon the bruckle authoritie of profane writters, mainteane their godlesse and profane opinions obstinatlie in disputations, and otherwise, to the great slander of the Word of God, and offence of the simple and unlearned; therefore, it is provided, and after reasoning and good advice, by universall consent agreed, that, in all times comming, the maisters, regents, and teachers of schooles, in reading of profane writters, sall vigilantlie tak heed if there be anie thing alledged

or writtin in them against the grounds and heeds of religioun; and, in teaching therof, to marke and note the places, confer and evince the errours, and admonish the youth to eshew the same as erroneous and false; and, namelie, in teaching of philosophie, to note the propositions following, as erroneous, false, and against the religioun, and condemned by commoun vote of the whole Assemblie: to witt,

1. "Omnis finis est opus aut operatio.

2. "Civilis scientia est præstantissima, ejusque finis præstantissimus, et summum hominis bonum.

3. "Honesta et justa varia sunt et inconstantia, adeo, ut sola opinione constent.

4. "Juvenes, et rerum imperiti, et in libidinem proclives, ab audienda morum philosophia arcendi.

5. "Quod aliud ab aliis bonis, et per se bonum est, et causa cur cætera bonum sunt, non est summum bonum.

6. "Dei agnitio nihil prodest artifici, ad hoc ut arte sua bene utatur.

7. "Summum bonum vel minimi boni accessione augeri, et reddi potest optabilius.

8. "Pauper, deformis, orbus, aut infans, beatus esse non potest.

9. "Bonum æternum bono unius diei non est magis bonum.

10. "Felicitas est actio animi secundum virtutem.

11. "Potest aliquis, sibi studio suo, felicitatem comparare.

12. "Homo in hac vita cumulate, et esse, et dici potest beatus.

13. "Post hanc vitam, nemo potest vel esse, vel dici beatus, nisi propinquorum vel amicorum ratione.

14. "Natura apti ad virtutem eam agendo comparamus.

15. "Virtus est habitus electivus, in ea mediocritate positus, quam ratio prudentis præscribit.

16. "Libera est nobis: voluntas ad bene agendum.

17. "Mundus est physice æternus.

18. " Casus et fortuna locum habent in rebus naturalibus et humanis.

19. " Res viles et inferiores non curat Dei providentia.

20. " Animi pars una, vel etiam plures sunt mortales, et quæ hinc pendent, et necessario consequuntur.

" And if anie sall be found to doe in the contrarie heerof, the censures of the kirk to proceed against them; and siclyke, that maisters, regents, teachers, auditors, or others, sall not assent or defend anie of the saids propositions alreadie condemned by the Assemblie, or others that sall happin to be condemned by them heerafter, *philosophice*, *probabiliter*, or otherwise, under the paine of the same censures of the kirk."

7. Forasmuche as sindrie acts have beene made before, to close the hands of beneficed ministers, that they sett not tacks of their benefices, or anie part therof whatsomever, without the advice of the whole Assemblie, yitt supplications are givin in daylie to the Assemblie, for their consent to be had thereto, howbeit, both for shortnesse of time and otherwise, the estat of suche supplications can not convenientlie be reasouned and tried before them; heerefore, it is thought expedient that where anie suche sute is to be made, the samine be first presented to the particular presbytereis where the benefice lyeth, before whom triell sall be taikin, both of the old kindnesse and title of the supplicant, and of the estat of the benefice; what was the old rentall therof, what present, and the processe and triell therof returned again to the Generall Assemblie, where order may be taikin with the sute, according to equitie; and likewise ordeaneth everie presbyterie within their owne jurisdictioun to trie and examine what persons have brokin the act made against beneficed persons within the ministrie, that sett tacks or fewes, or make other dispositions whatsoever of their benefices, or anie part therof, against the acts of the Assemblie; and after calling of parteis, and due triell taikin, to report their names, with the processe, to the nixt Assemblie.

QUESTIONS.

The questioun being moved concerning the punishment of ministers that beare with the people repairing in pilgrimage to wells hard beside their owne houses, without reprooffe; yea, rather interteaning them with meete and drink in their houses; distributing the Communioun to their flockes, and not communicating with them by the space of seven or eight yeeres: It was answered, that suche persons deserve deprivatioun.

MATERS REMITTED FROM THE SYNODALL ASSEMBLIE OF LOTHIAN, AND ANSWERED IN THE GENERALL, IN THE SIXT SESSION THEROF.

It was craved, that this Assemblie tak order with Mr Johne Spotiswod, for setting the tacke of his benefice, without consent of the Assemblie. *Answered*, That this particular be tried in his owne presbyterie, and the triell reported in the nixt Generall Assemblie.

Item, That certan commissioners be appointed for calling of all persons newlie provided, and ather compell them to serve the cure, or deprive them. *Ans.* That the commissioners present give up the names of the non-residents upon Moonday afternoone.

Item, Forasmuche as the king's hous seemeth not to be served as becometh, that the Assemblie tak order therewith. *Ans.* Advertisement to be givin to Johne Duncansone, to tak greater attendance; and to write to Mr Craig, as necessitie sall be, to him to come.

That the eldership of Stirline produce the processe led against the Bishop of Dunkelden. *Ans.* That is done.

That the Assemblie procure provision to ministers wanting both sufficient stipends and dwelling. *Ans.* Referreth to the platt.

Item, That moyen be made for obteaning of the provestreis of

Seton and Pantland, and establishing of ministers there. *Ans.* Thir benefices comming in the kirk's hands *jure devoluto*, that the presbytereis dispone them.

Item, That this Assemblie ratifie the dissolutioun of the presbyterie of Hadinton, and unioun of the members therof with other elderships, by reasoun of manie enormiteis occurring there; as rare convention of the brethrein, loathsomnesse and contempt of the Word in the people, and not execution of the acts of the Assemblie. *Ans.* Approveth for the present.

That the Assemblie take order with the Vicar of Bolton. *Ans.* Ordeaneth the presbyterie of Dalkeith to call him for non-residence, and deprive him.

A provisioun would be had for the Clerk of the Assemblie. *Ans.* A requeist sall be made to the modifiers for this effect.

Inquired, Whether a vicar having a gleeb, and the person who serveth in the ministrie having none, the person being minister sould be preferred to the vicar and the gleebs; cheeflie, seing readers are discharged, and vicars make no residence? *Ans. Ita.*

Forasmuche as sindrie of the penitents, partlie through povertie, sickenesse, or distance of place, are unable to compeere before the provinciall assemblie, may they compeere before the elderships? *Ans.* It is not thought good presentlie.

Item, Morphat and Newton is called in doubt, that it is not certan which is the parish kirk: the advice of the Assemblie is craved. *Ans.* Referreth to the triell of the presbyterie of Dalkeith.

The elders of the eldership of Melrose are of diverse judgements, some craving the Assemblie to continue there, others to another place, or ellis decided what sall be meetest. *Ans.* They have libertie to change as they thinke best, so it be done with commoun consent.

Of old, Leith and Restalrig was one parish, and the parish kirk stood in Restalrig, whill now, by act of the Assemblie, it is ordeanned to be in Leith; and yitt Restalrig refuseth, in respect of old alledged priviledges. *Ans.* Ordeaneth the presbyterie of Edinburgh to tak order heerewith.

THE SYNOD OF LOTHIAN DIVIDED.

Forasmuche as the synodall assemblie of Lothian is considered to be verie populous, and above the number of presbytereis which the brethrein thinke meet to unite thereto, it is thought expedient that the same be dismembred; that Dumbar and Chirneside, Melrose and Pebles, be joyned in one assemblie; that the place of their first meeting be in Lauder, and that the place therafter be changed with their owne consent and advice, as they sall think expedient.

Mr Alexander Arbuthnet, Principall of Aberdeen, departed this life upon Wedinsday the 10th, and was buried upon Thursday the 17th of October. Mr Thomas Smeton, Principall of Glasgow, died not long after him.

FENTRIE'S CRAFT.

The presbyterie of Edinburgh sent a letter to Johne Duncansone, the king's minister, to informe him that young Fentrie had craftilie circumveened their clerk, Mr George Makesone, and purchassed from him a letter of commendatioun, in name of the presbyterie, wherunto none of the presbyterie was privie, for the which he craved God and the presbyterie forgivenesse, and willed him to informe the king how he had abused the simplicitie of their presbyterie.

Upon the 24th of October a proclamatioun was made, wherin was declared, that, whereas it hath beene bruted and reported in favours of certan persons latelie denounced rebels, and putt to the horne, for their disobedience to enter in waird whill their triell, in certan practices concerning the king's person and estat, compleaning of the short space of time appointed for them to enter, and pretending the occasioun of their persute to be for the publict attempt committed the last yeere, notwithstanding that his Majestie's meaning was published by diverse proclamations before, that he no-

wise minded to seeke the lands, lives, or goods of anie maner of persons, and that he continueth in the same clemencie; therefore, that all suche subjects alreadie putt to the horne for their disobedience to enter in waird, be wairned, that upon their offer yitt to enter betuixt and the first of December nixt to come, finding sovertie to that effect, sall be relaxed from the processe of horning led against them; and their escheats, goods, and livings, sall not be disponed nor intrometted with, for the contempt and disobedience of the charges forsaid.

THE DUKE OF LENNOX HIS SONNE ARIVETH.

Upon Wedinsday, the 13th of November, the Duke of Lennox his eldest sonne landed at Leith, accompanied with the Maister of Gray, the Laird of Craigiehal's sonne, and some others. Colonell Stewart convoyed him the day following to the king, then passing his time in Kinneill, who receaved him verie kindlie.

The Pryour of Blantyre, keeper of the privie seale, was sent to the Erle of Angus with a letter of credit, dated at Halyrudhous, the 14th of November. The credit followeth:—

"Yee sall lett him understand, that for removing of brutes, and occasioun of casting and alteratioun of the court, wherof we can nowise like; and for the opinioun that hath or may be conceaved of him and his freinds to be meddlers in anie suche purpose, howbeit we have ever esteemed him to be of a good and quiett nature, inclyned to serve and obey us to the satisfactioun of our owne minde, and the rather beare we him good will and affectioun, being desirous to have him preserved from inconveniences; therefore, ye sall lett him know the effect of our desire to be, that he, with suche of his freinds and domestick servants as he sall please to tak with him, will addresse himself to passe and remaine be-north Spey during our will; and to that effect, remove be-north Forth, betuixt and this day eight dayes, and enter in Murrey before the 15th of December nixt. The occasioun moving us heereto is, to save and preserve him from occasioun of inconveniences,

wherinto others, peradventure, may travell to draw him, and by his exemple to mak others the more willinglie to yeeld the like obedience, seing, for good and necessar respects, some are appointed to waird, and some to depart furth of our realme; and whill ather they obey, accepting our mercie and favour offered, or then sall be declared, upon their contempt, unworthie therof, it sall be meetest that he withdraw him in thir north parts, eshewing the occasioun of jealousie that his presence in thir parts may ministrat. Which persons once having yeelded their obedience, and he giving us prooffe of his willing disposition to satisfie our minde in this behalfe, he may rest assured not onlie to find our favour in the enlarging of his bounds, but in admitting him to come to our presence, and extending our favour otherwise, in that which may be his ease and comfort."

GREAT TRAINS DISCHARGED.

Upon Saturday the 16th of November, the king came to Edinburgh; for these that were about him were so affrayed that they sent for the toun to meete them. This feare continued till the 20th day. Then a proclamatioun was made at the Croce of Edinburgh, discharging all erles, lords, prelats, barons, and gentlemen, to come to Edinburgh till the seventh of Januar nixt, except so manie as the king sould write for in speciall: and these to come after this maner; the erle with sixteene, the prelat with eight, the baron with six. They pretended that poore men's actions could not be heard before the Lords of Session. The proclamatioun excepted so manie as the king sould give licence unto, which was partialitie.

COLONELL STEWART'S PURGATION.

Upon Tuisday the 19th of November, Colonell Stewart came before the presbyterie of Edinburgh, to purge himself of some reports which went of him, viz. that he caried a double message to

England; that he proceeded not joyntlie with Mr Johne Colvill; that he was the cheef instrument of change of court. Little answere was made to him, but the brethrein praised God if it was true that he spake.

Upon Thursday the 21st, it was thought good that the Lairds of Dun, Pittarrow, Braid, Colluthie, Mr David Lindsay, Mr Andrew Hay, and the king's ministers, sould travell for agreement among the nobilitie and with the king. But nothing could be effectuated. Ather must the decourted noblemen submitt themselves, and acknowledge a fault, and suche as are charged to waird must enter, or ellis depart out of the land. Licence was granted and subscrived by the king and counsell, at Halyrudhous, the 23d of November, to Robert Fairlie of Braid, Mr David Carnegie of Colluthie, Mr David Lindsey, and Mr Andrew Hay, ministers, conjunctlie and severallie, to intercommoun personallie, or by their letters or mediat persons, with all the king's rebels or subjects standing under his offence and displeasure, remaining within the realme, or without the same; to informe them of his Majestie's clemencie, when he sall find submissioun and true obedience; to receave supplications and offers from them; to present the same to his Hienesse, and to mak intercessioun for them, to whom his Hienesse will extend his mercie and favour, as he sall find caus moving, and as may best stand with his honour; assuring all persons with whom they sall thinke meete to intercommoun, to repaire to suche place or places as they sall appoint, providing the same be 30 myle distant from his Hienesse' present residence, and to passe and repasse safelie and freelie, untroubled, to the effect forsaid.

This licence was to endure till the first of December nixt to come. The king declared his minde upon the 25th of November, after this maner:—

"Tuiching the persons presentlie our rebels, as yitt remaining without our realme, if they sall offer yitt to enter in their wairds, wherunto they were charged, before the first day of December, or so soone as possiblie they may travell, or to depart furth of Scot-

land, England, and Irland, and find cautioun in suche forme as his Majestie, with his counsell, sall find to stand with his Highnesse' honour, obedience, and suretie, it may be promitted to them that they sall have remissions, relaxations from the horne, and licence to depart, wherethrough their wives, barnes, and freinds, may injoy their lands, livings, and goods, in their absence, als weill fallin by vertue of escheat, through the hornings executed against them, as otherwise. And if there be difficultie of shipping, they sall have licence to passe through England, and remaine some reasonable space at Berwick, or the Newcastell, where their furnishing may be provided, and come to them there."

Mr Andrew Hay, Mr David Lindsey, &c., were sent to Berwick to travell with the Laird of Cleish, the Abbot of Cambuskenneth, Mr Johne Colvill, &c. Sindrie mislyked their journey, speciallie Johne Durie and Mr Johne Davidsone, who, upon Tuisday the 26th, protested plainlie that they liked not that anie ministers sould travell in this mater; but if they travelled, they sould doe it in their owne name, becaus they saw no profite to come thereby. Mr Johne Davidsone protested, in speciall, that their travell were nowise prejudiciall or hurtfull to the good caus. Mr Andrew Hay said, the king would have it a fault. The other replyed, "We sould instruct the king, and truelie informe him in that mater."

"A DECLARATION OF THE INNOCENCIE, EVILL HANDLING, WITH THE OFFERS IN END, OF MY LORD COMMENDATAR OF CAMBUSKENNETH, THE LAIRD OF CLEISH, AND MR JOHNE COLVILL; PRESENTED TO HIS MAJESTIE'S COMMISSIONERS, DIRECTED TO THEM FROM HIS HIENESSE.

"Forasmuche as your worships are appointed by his Hienesse to confer and intreate with us, to the effect your worships may be the better encuraged to treate for us, and that yee may have forcible reasons to perswade his Majestie to pitie, we must, first of all, desire you to consider our innocencie: how, to this houre, (wherof we thanke our Eternall God,) we have never made defectioun from

true religioun, nor his Majestie's lawfull defence, in his authoritie, howbeit we be calumniated; and that we have no familiaritie or freindship but with the professors both of the one and the other, for maintenance of his crowne, and no querrell but with the oppugners of the same. Yitt, if anie of your worships be otherwise perswaded that we are guiltie of the severall points falselie objected against us, upon knowledge what is particularlie to be layed to our charge, we sall ather presentlie make you satisfied and resolved, or ellis confesse ourselves unworthie of your intercessioun.

"Nixt, please you consider, how unworthilie we were persued before we left the realme, which was in this sort: We were commanded to enter in strait waird, without respect ather to the distance of the place of our waird from the part where we were charged, or of our estat, some of us being extremelie sicke and bedfast. Nather were we summouned *super inquirendis*, nor for anie speciall crime; a noveltie not heard of heeretofore, that anie free holder or beneficed person, undetected with some notable crime, was ever so used. Moreover, some of us, hearing that we sould be charged, came to his Majestie, humblie desiring to know wherin we had offended; desiring no other grace than triell of law, and punishment or favour according to our merit; which humble sute his Majestie thought reasonable, affirming, that he had no crime to lay against them; albeit, that immediatlie therafter they were charged; which, notwithstanding, we cannot impute to his Grace. Others of us that might not travell, desired by our letters, most humblie, of his Majestie, to be confronted with our accusers, challenging also our said accusers, if they sould faile in their probation; and yitt, entering in waird, and lying bound under great summes not to escape, in the meane time, at the procurement of their said enemeis, a guarde of souldiours was appointed to them, of a farre greater number than they were able to susteane; and that of suche persons as were chosin by their saids enemeis for that effect. Some also of the best of us, understanding that they were to be charged, meaned to present themselves before his Grace with all humilitie, and to have rendred themselves

subject to his pleasure, but were expreslie hindered, by commandement from his Majestie, in anie wise to compeere before him. These reasons, with manie others which we omitt, moved us to absent our selves for a seasoun, till his Majestie might better consider how extremelie we were persecuted and dealt with all.

"Thridlie, Whill as we hoped daylie that his Majestie sould publishe, by his proclamatioun, some more temperat forme of proceeding against us, whereby we might, without feare of violence of our enemeis, present our selves to triell, at lenth we found our selves farre frustrated of that good expectatioun. For all the foure proclamatiouns which are come to our knowledge seeme to us, or anie indifferent man, so captious, generall, and contrare to the order led against us, that we can find no ground by them how to deale for our self; as may appeare by the reasons following:—

"In the first, dated at Perth, 1583, the penult of Julie, his Majestie declaring the truthe of his meanings and doings, is moved to say, that all the alterations and troubles which were in his minoritie tended to his skaith and prejudice. Which claus, and manie others conteaned in the said proclamatioun, if it be not interpreted of suche factiouns as were interprised by the enemeis of his crowne, carieth no small suspicioun of captiousnesse with it to the prejudice of us, and all others that have professed true religioun, and have mainteaned his innocent caus. Siclyke, where it is said, his Majestie will be indifferent, and not guided with particular surnames and races, it is easie to behold if it be so indeid or not; when as, not onlie particular surnames and races guide all, but suche surnames and races as are suspected in religioun, or have ever beene enemeis to his authoritie in his youth; or, at least, have made defectioun therefra, by joyning themselves with these that sought to pull the crowne off his head, who now are all in all. And where it is promised, that all question and former transgressioun sall be bureid and putt in oblivioun, als weill with his Majestie as all other his subjects; if so be, it appeares that no man is presentlie persued, but suche as Arran and the colonell have at particular wrathe and indignatioun, farre contrare the sinceritie of

his Majestie's intentioun. And where it is said, that no man's lands, lives, and possessiouns, sall be sought, for anie offence bygane, so being, they come tymouslie and confesse their offence; this claus is no lesse captious nor generall, not onlie in this ambiguous word *tymouslie*, but throughout all, if it be not meant of suche as have committed offences against his crowne, when the same was in danger. For if this offer is made speciallie to these that are alledged to have offended his Majestie the last yeere, (which, by the secund, thrid, and fourth proclamations, seemeth to be the onlie offence they would move his Majestie thinke worthie of punishment,) then are we so cunninglie dealt with all as is possible. For before the said proclamation was ather concluded or published, some of us were charged to waird; and for declaration of their clemencie, some of our escheats were lifted, before we were putt to the horne. By which reasons, and manie others that may be collected of the said first proclamation, the captiousnesse, generalitie, and contrarietie therof, with the effects of our enemeis proceeding against us, may easilie appeare.

"In the secund proclamatioun, dated the 21st of September 1583, (all offences being omitted that were committed in his Majestie's minoritie, als weill the cruell murther of his father as of his regents,) it is somwhat more speciallie declared, yitt no lesse captiouslie, that no man is or sall be persued for the attemptat done the last yeere: and yitt all men are compelled to tak remissioun for the same, or ellis to be subject to the censure of the law. And, moreover, so manie as have obeyed his Majestie's charge, and entered in waird, are onlie examined upon that heed, and no other. If heerin there be contrarietie or not, it is evident. It is also added there, that they who sall not be persued for that fact must come and crave his Majestie's pardon, which is impossible for us to doe; for we are all expreslie discharged to come to his presence, by his Majestie's owne commandement, or ellis so under the professed displeasure of Arran and the colonell, that we can not present ourselves, nather darre anie of our freinds, for feare of their violence, mak intercession for us. And where it is said, (to

mak us the more odious,) that we are persued for attemptats done both before and after the committing of the publict fact, the last yeere, if there were anie suche thing to be objected against us, we doubt not but our enemeis had long since expressed the same in particular; and, therefore, their silence in that point justifieth our part. And for the promise mentioned, which his Majestie hath made to her Majestie of England, it is knowne how farre his Hienesse hath said in that behalfe, by his manifold letters sent to her, all bearing, that the fact at Ruthven was to his confort and weale, and that he would never persue anie for the same; but cherish and rewaird bountifullie the interprisers therof, as men studious and carefull of his preservatioun, according to the Acts of Secreit Counsell and Estats, and declaratioun givin to the ministers for that effect; wherof his Hienesse not onlie certified her Majestie, being accompanied with these that are now distressed, but even after this late alteratioun, by his letter of the date the secund of Julie, he hath ratified the same to her Majestie. And albeit she be farre frustrated of the good hope she had, (like as all honest men are ellis where,) yitt we doubt not, she and all others, discreit beholders, will think his Majestie's young and innocent yeeres voide of all suche suspicioun and dealing, as may be justlie imputed to our enemeis.

"Concerning the thrid proclamatioun, the 24th of October, albeit the naked word of *clemencie* be expressed therin, as in all the rest, yitt nothing is apprehended there but a higher degree of rigour: for, by the generalitie of the former proclamations, although all was doubtfullie conceaved, yitt we were upholdin with some hope that, in time, we might have favour, in respect of the words promitting favour to them that tymouslie acknowledge their offence. But by this, we are limited to a certan short day, which being expired, all hope is secluded. And, therefore, it appeareth weill, the more they would colour the mater, the more the fraud breaketh out.

"And for the fourth proclamatioun, albeit it be sett out under pretence of clemencie, it is yitt a higher degree of rigour, not onlie

to us, but also to suche as have alreadie obeyed, and receaved remitt and pardoun, of whom some are licenced to depart off the countrie, lyke as they have done, and can not be advertised, to caus their signatures of remissioun passe the seale before the day appointed. And, therefore, the last proclamatioun, importing like incertantie both to these that have receaved presence and favour, and to us that are debarred from both, it is to be thought more captious and doubtfull nor the rest. And becaus our enemeis thinke they have great advantage by this word, CLEMENCIE, so oft remembred in the proclamations forsaid, thereby thinking to mak us odious, as men refusing the benignitie of our soverane, please your worships consider, that no greater rigour can be used against the cruell murtherers of his Majestie's father and regents than is devised against us. For there are but foure kindes of notable punishments for most high treasoun: banishment and confiscatioun of goods to them that can not be apprehended; and to the apprehended, wairding or death. And all these foure are executed, or intended against us. And, therefore, this clemencie may be better named crueltie.

"As concerning this licence granted to your worships to mak intercessioun for us, and his Majestie's declaratioun of his minde in that point, albeit there were no other argument against the captiousnesse of their meaning, yitt these were sufficient to argue the same. For your licence is granted the 24th of November, to treat and intercommoun with all the distressed, als weill without as within the realme, betuixt that and the last of the same, to receave their offers, and to mediat for them; wheras, indeid, in so short space, is it possible to your worships to advertise us, and receave our answere in anie mater so great, comprehending our possessions, lives, and allegiance to our soverane? And albeit, both in the one and the other, yee be permitted to heare our offers, receave our supplicatioun, and to reasoun with us, yitt are we limited, in expresse words in both, to one conclusioun and decreit, which we may not transcend, by which yee have onlie power to assure us of his Majestie's favour if we sall ather agree to enter in waird, ac-

cording to our first charge, or ellis find cautioun, within short space, to depart off Scotland, England, and Irland. Now, when this is sett doun for a certan declaratioun of his Majestie's minde, all place of reasoning, and presenting of offers and supplications, is takin from us both. And, therefore, except your worships have some farther intelligence of his Majestie's good meaning, we can not thinke that this our travell can be so effectuall as yee would wish it to be.

"Ferdlie and last, That no significatioun of obstinacie and guiltinesse appeare in us, and that his Majestie, and all indifferent men, may evidentlie see how unjustlie we are reproached and slandered, your worships sall offer in our name, that a competent day being appointed for that effect, we sall present ourselves yitt, as we ever meant, with all duetifull reverence and humilitie, to be judged and used according to his Majestie's lawes, providing your worships will first gett us relaxed from the horne, that we may the better travell for our selves; and nixt, give us your bands and assured promises that we sall receave no violence nor wrong by forme of law, at the pleasure and appetite of our enemeis: which maner of proceeding sall prove to be more honorable to his Majestie, and the neerer way to punish us, if we be offenders, than in this sort to banish us, confiscat our goods, preasse us to receave remissioun before we be convicted of crimes. But if it be so that your worships can not mak us assured in the premisses, then we heartilie desire you, as yee love innocencie and equitie, to report our innocent and equitable part to his Majestie, that his Grace be not moved, upon the untruthfull surmises of our enemeis, yitt as before, ather to mislyke of our doings, or to publishe anie new proclamatioun to our prejudice and slaunder; but that his Hienesse, understanding the sinceritie of our meaning and readinesse, with all humilitie, to obey his pleasure, may be moved to pitie; and our brethrein, true professors of the Evangell, (if they were heertofore doubtfull of our intentions and proceedings,) through your testimonie may be resolved; and thereby, according to the charitable commiseratioun that true Christians ought to have of others, may be moved to

lament our pitifull distresse, and by their earnest prayers to Almightie God, and humble sute to his Majestie, may call and insist for our releefe."

A FALSE FRAY IN THE ABBEY.

Upon Saturday, the last of November, there was a great feare in the Abbey, by reason of the Erle of Angus his comming at morning, by Dalkeith, to passe over the water of Forth, to enter in waird beyond Spey, within fyfteen dayes after. The drumme was beaten in Edinburgh, and all the citizens charged to be in readinesse, within an houre after the nixt warning. Colonell Stewart road furth, the provest went doun to the Abbey. He said to the king, the feilds were foule: the king said, they would be fouler when his dogs came out. This feare was causelesse.

HUME AND BOTHWELL CHARGED TO WAIRD.

Upon Fryday, the 28th of November, there was an evill favoured brawle betuixt Bothwell and Hume, the one taking part with Coldinghame, the other with Alexander Hume of Manderston. But they were sindered by Seton, Colonell Stewart, and some others. Bothwell was charged, in the evening, immediatlie after he went out of the Abbey, and after the king had beene hanging about his necke, to enter in waird in the Palace of Linlithquo; the Lord Hume and Manderston in Leith. The day following, when Bothwell was readie to depart to Linlithquo, he was charged to waird in his owne hous, where he remained three or foure dayes. Then the king sent for him, and challenged him, with manie hard speeches, for the band. The Ladie Arran cried to strike off his head!

THE TENOR OF THE REMISSION OFFERED TO MR JOHNE COLVILL.

"Our soveran lord, of his special grace and favour, ordeaneth a commissioun to be under his great seale, in due forme, to his lovit, Mr Johne Colvill, chantour of Glasgow, for the treasonable consulting, treating, devising, art, part, raid, counsell, assistance, and ratihabition of the most odious and unnaturall surprize, restraint, captivitie, and detentioun of his Hienesse' person, attempted and committed at Ruthven in the moneth of August, the yeer of God 1582 yeeres, and prosecuted therafter at St Johnstoun, Stirline, Halyrudhous, and other parts of this realme; making, passing, and subscriving of whatsomever bands, with whatsomever person or persons, to that effect, or the maintenance and defence therof, besides his Hienesse' full consent, privitie, and knowledge, with all that hath followed, or may follow therupon; together with whatsomever actioun, paine, crime, or danger, the said Mr Johne and his heyres might have incurred, or may incurre therethrough, by the lawes and consuetude of this realme, and acts of parliament; and als, for all actions, crimes, transgressions, and offences of whatsomever weight or qualitie they be of, done, attempted, or assisted by the said Mr Johne, whatsomever time bygane preceeding the date heerof; the detestable murther of his Hienesse' deerest father and two regents, witchcraft, incest, fire, murther, ravishing of weomen, thift, and recept of thift allanerlie excepted: remitting and discharging the same to the said Mr Johne and his heyres, for his Hienesse and his successors for ever, by thir presents; and that precepts be directed heerupon, in forme as effeirs. Subscrived by our soveran lord, at the day of the yeere of God 1583."

THE TENOR OF THE LICENCE OFFERED TO MR JOHNE COLVILL.

"Our soverane lord ordeaneth a letter to be made under the privie seale, in due forme, to his lovitt, Mr Johne Colvill, giving and granting him licence to depart and passe furth of this realme,

to whatsomever part beyond sea, England and Irland onlie excepted, therin to remaine during the space of three yeeres nixt after the date heerof; and willeth and granteth, and for his Hienesse' successors decerneth and ordeaneth, that the said Mr Johne, for his remaining and departing furth of the realme, as said is, sall incurre no skaith nor danger in his person or goods, nor be called or accused therefore, ather criminallie or civillie, notwithstanding whatsomever our lawes, acts, letters, statuts, or proclamations made in the contrare, anent the which, his Majestie dispenseth by thir presents; providing alwise, that the said Mr Johne find cautioun presentlie, under the paine of five thowsand pund, to depart betuixt the day and date heerof, and the first of Januar nixt to come, but longer delay; and that he returne not again to anie of the realmes forsaid, during the space above mentioned, without our speciall licence and warrant; and that also, the said Mr Johne behave himself as a duetifull and obedient subject to us, and doe nor attempt nothing to the prejudice or hurt of us or our estat, during his absence; and that before his departing, he nowise repaire neere the place of his Majestie's residence by the space of 30 myles, otherwise this his licence to be null, and of no strenth, force, nor effect: and that the said letter be extended in the best forme, with all clauses needfull. Subscrived by our said soveran lord, at Halyrudhous, the thrid of December 1583."

A CONVENTION.

Upon the fourth of December, there was a conventioun holdin in Edinburgh. None were writtin for but suche as were gracious to the court. At this conventioun, the Road of Ruthven was judged treason, and suche as had beene guiltie in fact or assent were appointed to seeke remissions. It was statuted, that the old placks, babees, three pennie peeces, and twelve pennie peeces, sould be brought in betwixt and Julie nixt, to be brokin; and that a new coine be strickin, foure pennie groats, eight pennie groats,

sixteene pennie groats, and that they be three pennie fyne. Yitt were they not so fyne. This was done to gett silver to Colonell Stewart to pay the waiged men of warre. The burrowes disassented from breaking of the old coine.

MR J. LOWSONE AND J. DURIE CALLED BEFORE THE KING AND COUNSELL.

Upon Fryday, the 13th of December, Mr James Lowsone and Johne Durie were called before the counsell. Johne Durie had said, the Road of Ruthven had brought furth some good effects. The king asked, if they thought that a good effect, that he was keeped prissoner, and his kinsmen and servants hurt and taikin? They answered, these were not the effects they meant of. They went about to circumveene Johne Durie. They being removed, it was concluded that Johne Durie had transgressed the act, and, therefore, sould be punished at the king's will. They were called in again, and their judgement craved, tuiching a new act. Mr James answered, it was meere civill, and so it belonged not to them. Johne Durie said, he had nothing to say against that act: wherupon the court tooke hold, and gave furth, that Mr James Lowsone and Johne Durie had approved the act. The rumour went abroad, that the ministers had yeelded to the court, wherat the wicked rejoiced, and the godlie were muche displeased. But Mr Johne Davidsone preaching upon Saturday, the 14th of December, upon Manasseh, (2 Chron. xxxiii.) so inveyghed, and threatned the king and court, that the brute was soone repressed. He said, he ceassed not to be a loving freind and subject to the king, howbeit, as the caus craved, he reproved publictlie the king's publict offences: "For honey," said he, "is sweete; and yitt, being layed to a sore, it byteth vehementlie."

MR P. ADAMSONE SENT IN AMBASSADGE TO ENGLAND.

About this time, Mr Patrik Adamsone went in ambassadge to England, and tooke journey about the middest of December. His purpose was, to practise the alteratioun of the discipline of the kirk, and to eshew the censures of the church discipline: for the Generall Assemblie had found the processe led against him before the Presbyterie of Sanct Andrewes and Synodall of Fife rightlie deduced, and for his contumacie in not compeering, suspended him, as corrupt both in doctrine and life, from the office of the ministrie, and ordeaned farther triell to be taikin of him. He was summouned *de novo*, to compeere to that effect. Pretending he would goe to the well of Spa, for the recoverie of his health, he purchassed from the king immunitie, that during his absence the kirk sould not proceed with their censures against him. But it was his purpose to stay in England, and there to seeke the advice and concurrence of the most corrupt he could find, for the overthrow of the discipline of the Kirk of Scotland: for he thought, the surest course to keepe his benefice was to use some wicked and indirect dealing against the kirk. He consented to the act made, that a minister deposed from his office, namelie, for drunkennesse, incest, witchecraft, &c., the benefice sould vaike in the king's hands, to be disponed to some other; and that this act sould strike upon bishops, als weill as other ministers, becaus, as he then said, "*Propter officium datur beneficium.*" Yitt returned he to his vomite, to his old drunkennesse, gluttonie, which kythed diverse times, and once in presence of the Assemblie, by filthie vomiting. Through his drunkennesse and gluttonie, he fell in a fearefull and terrible feditie, as he himself termed his disease: the physicians could skarse understand the nature of it. He consulted with witches for recoverie of his health, which one of them confessed before the presbyterie of Sanct Andrewes. Lying now under the danger of depositioun from his office, he laboured, by all meanes possible, to save his benefice. When he was in his journey toward

Londoun, hearing that Francis Throgmorton was apprehended, and had discovered a conspiracie for invaiding of England, and setting at libertie of the Scottish queene, with assistance of the Gwisians, he was taikin with suche feare, that he trembled hand and foote, to the astonishment of these that were in his companie, as some of them testified. He came to Londoun about the end of December.

J. DURIE CONFINED IN MONTROSE.

Upon Thursday, the 19th of December, the Laird of Colluthie and the Maister of Requests came from the king and counsell to the sessioun of the kirk of Edinburgh, to intimat, that it was the king's will that Johne Durie sould passe within nyne dayes over Tay, and to remaine at Montrose; and that he preache no where by the way. After reasoning, it was answered, they could not putt him away, except he himself were willing. After some consultatioun, he willinglie yeelded. He tooke leave at the counsell upon Fryday, and from the sessioun of the kirk upon Saturday the 21st, who gave him their testimoniall, approving his life and doctrine.

APPENDIX.

A.

Mr Knox his letter to the Generall Assemblie, holdin at Perth, in the Tolbuith, the 6th of August 1572, the tenour wherof followeth, howbeit it be not extant in the Register.

"*Fight and faint not, &c.*

"Albeit I have takin my leave," &c. (see page 222.)

With this letter, which was sent by Mr John Winerame, Superintendent of Fife, and Mr Robert Pont, were sent thir articles following:—

"1. First, Desyring a new act to be made, ratifeing all things concerning the king and his obedience, that were enacted of before, without anie change; and that the ministers who have contraveened the former acts be corrected as accordeth.

"2. That sute be made to the regent's Grace, and nobilitie mainteaning the king's caus, that whatsoever proceedeth in this treatie of peace, they be mindfull that the kirk be not prejudged therby in anie sort; and they, speciallie, of the ministrie, that have beene robbed of their possessions within the kirk, during the time of thir troubles, or otherwise dung and injuried, may be restored.

"3. To sute at the regent that no gift of anie bishoprick, or other

benefice, be givin to anie person contrare the tenour of the acts made in the time of the first regent, of good memorie; and they that are givin contrare the said acts, or to anie unqualified person, may be revoked, and declared null, by an act of Secreit Counsell; and that all bishoprics vacand may be presented, and qualified persons nominat therunto, within a yeer after the vaiking therof, according to the order takin in Leith, by the commissioners of the nobilitie and of the kirk, in the moneth of Januar last; and in speciall, to complean upon the giving of the bishoprick of Rosse to the Lord Methven.

"4. That no pensions of benefices, great or small, be givin by simple donation of my lord regent, without consent of the possessor of the said benefices, having title therto, and the admission of the superintendent or commissioner of the province where this benefice lyeth, or of the bishops lawfullie elected, according to the same order takin at Leith; and desire an act of counsell to be made therupon unto the nixt parliament, wherin the samine may be speciallie enacted, with inhibition to the Lords of Session to give anie letters or decreets upon suche simple gifts of benefices or pensions not being givin in maner above rehearsed; and that the kirk presentlie assembled declare all such gifts null, so farre as lyeth in their power.

"5. That the first forme of presentation to benefices, which were in the first and secund regents' time, be not changed, as now it is commonlie. But that this clause be conteaned in the presentations, that if the person presented make not residence, or be slanderous, or found unworthie, either in life or doctrine, by the judgement of the kirk, (to the which alwise he sall be subject,) or meet to be transported to another roome, at the sight of the kirk, that the said presentation, and all that sall fall therupon, sall be null, and of no force nor effect; and this to have place also in the nomination of the bishops.

"6. That an act be made in this Assemblie, that all things done in prejudice of the kirk's assumptions of the thrids, either by Papists or others, in giving of fewes, lyferents, or tacks, or anie other

wayes disponing the said assumed thrids, be declared null, with a solemne protestation, that the whole kirk disassenteth thereto.

" 7. That an act be made, decerning and ordeaning all bishops admitted by the order of the kirk now receaved, to give accompt of their whole rents and intromission therwith once in the yeer, as the kirk sall appoint, for suche causes as the kirk may easilie consider the same to be most expedient and necessar.

" 8. Anent the jurisdiction of the kirk, that the same be determined in this Assemblie, becaus this article hath been long postponed.

" 9. To mak sute to the regent and counsell, for remedie against masse-mongers and excommunicat persons.

" 10. Last, That order be takin anent the procurers of the kirk, who procure against ministers and ministrie, and for suting of justice of the kirk's actions in the session."

Thir questions were also presented at this Assemblie :—

" If a bishop being elected to a great diocie, may be admitted, beside that, to the office of rectorie of an universitie, or proveist of a colledge, or anie other like charge, or to bruik anie inferior benefice ?

" If controversie rise upon doctrine, before whom sall it be treated ? Where bishops are placed according to the order of the kirk, whether sall the superintendent's jurisdiction expire or not ?

" If anie abbot may sett his whole abbacie, in prejudice of his successors, and of the ministrie, for the half of the thing it payed before ; or otherwise, farre within the availe ?"

Thir articles were read in the Assemblie, with the former letter ; but who were appointed to be suters at the regent's and counsell's hands, I know not : but the Assemblie wrote again answer to Mr Knox thus :—

" Wee have received your wryting, (deare brother in the Lord Jesus,) together with certan articles and questions, the which wee have redd, and diligentlie considered, and find the same both reasonable and godlie ; and, therfor, wee have takin like order as we could, for the furtherance therof, as thir our brethren, bearers of

this present, will declare unto you; beseeking you to confort your self in the mercies of God, through Jesus Christ.

"Wee think it not meete to trouble you presentlie with [a] long letter, seeing our minds are all bent (as we beleeve) to sett fordward the selfe same caus which our God hath putt into our hands, to the advancement of his glorie, and confort of his kirk, through Jesus Christ, to whose protection we committ you. Off Perth, the 20th of August 1572.

"Your brethren, and fellow members in Jesus Christ,

"Mrs JHON WINERAME. BISHOP OF CATHNESSE.
DAVID LINDSEY. JOHN ARESKINE.
ROBERT PONT. JHON SPOTTISWOOD."
JHON ROW.

B.

A PROCLAMATIOUN, THAT THE KING'S MAJESTIE DID NOT REMAINE IN THE CASTELL OF STIRLINE AGAINST HIS WILL, 18TH MAY 1577, IN PURGATION OF MORTON.

"REX.

"Forasmuche as we, being inquired, in presence of our counsell conveened for the time, by our right trust cousine, James Erle of Morton, Lord of Dalkeith, late regent of our realme, in the moneth of September 1577, whether we remained within our eastell of Stirlin against our owne good will and pleasure or not; or if there was anie place where, and amongst whom, we were more desirous to abide, we then answered, that we both liked the place and companie, and thought our self in better securitie heere, than to have the appearance of more libertie with greater danger; which is yitt our constant minde and resolute deliberatioun. For although, by advice of our nobilitie and estats, we have accepted the governement of our realme in our owne person, notwithstanding, we meane to

continue still our residence as yett in our said castell of Stirline, whill God make us somewhat more able and strong in bodie, and that, by our owne good lyking, with the advice of our estats, till there be a good and substantiall order appointed, tuiching the attendance and preservatioun of our person therafter, and provisioun of our hous and servants, which must await upon us.—We have thought expedient, therefore, to notifie by our owne letter, subscrived by our hand, this our minde and intentioun, for satisfactioun of suche our subjects as, peradventure, yitt remaine doubtfull in this behalfe, and upon mis-report, are drawin oft tymes to arme themselves without caus, as for our service, when littill necessitie urgeth the same. Willing, therefore, all our good subjects to stay themselves in quietnesse, unattempting anie thing by way of deid or otherwise against us, this our castell, or keepers therof, or the order latelie appointed by us with the advice of our counsell, and suretie made for our preservatioun, whill further and more substantiall order theranent, and our houshold be provided by us, with advice of our estats: Certifeing all that doe in the contrare, they sall incurre our displeasure, beside the paines of our lawes, and Acts of Parliament; and that suche of our nobilitie and estats as are doubtfull of our meaning in this behalfe, repaire to our presence when they thinke good, where they sall be sufficientlie resolved of our owne minde theranent. Subscrived with our hand, at our Castell of Stirline, the 18th day of May, and of our raigne the elleventh yeere, 1577.

(*Sic subscribitur*) "JAMES R."

This copie agreeth with the principall subscrived with the king's Majestie's owne hand.

HAY.

C.

A FAMOUS LIBELL SETT OUT AGAINST MORTON, AFFIXED UPON THE CROCE, 14TH AUGUSTI 1579.

"Be it kend manifestlie to all men, how maliciouslie the Erle of Morton and his adherents abuse the king's Majestie's authoritie, to the advancement of their owne particular. For if unfainedlie they professed, deceatfullie they perswade, his Grace, the glorie of God, his Grace's service, and the commoun weale of the countrie, they would postpone all other things, yea, and their owne lives, to the furtherance therof. But the simple sound veritie is of suche invincible strenth, that it will alwise prevaile to the detectioun of fraudulent falshood, and of all these that wickedlie professe the same. And for true and certane probatioun heerof, lett all true and zealous Scotishmen consider, if the said Erle of Morton had ever, or yitt hath, anie regard to the glorie of God, when induring his governement, he dealt so rigorouslie with the ministers of his Holie Word, in taiking from them the two thrids of their living, and giving to everie one of them the cure of three or foure kirks; and when, sensyne, after his depriving, having played the dissembled hypocrit, he rebooked shamefullie the ministers of Edinburgh at their comming to Stirline, he and his said assistors making yitt no accompt of their godlie admonitiouns concerning the order [that] ought to be tane with the benefices. Moreover, lett us consider and ponder with an equall ballance, if they be moved with anie true affectioun to the king's Majestie's service; for albeit the Hammiltons and Phairnihirst be lawfullie summouned to underly the law, yitt they can not denie but they were first persued by all order of justice; and there are now partialities used, becaus the Laird of Balcleuch's freinds, and some others that were also at the interprise of Stirline, which was attempted, are omitted, for their allya and freindship, shewed at that time to the Erle of Morton. On the other part, to remove all suspicioun of partiall dealing, according

to all equitie and reasoun, they ought first to persue the king's cruell murther against the Erle of Morton, and certan others their owne associats, which is of greater importance, and tuicheth the king's Grace's owne person muche neerer, nor ather his said guidshir or uncle's death; as also, the odious and treasonable slaughter the said Erle of Morton and his adherents then committed in the queen's Majestie his mother's presence, expreslie for to caus her and the king's Grace, who was then in her wombe, dee instantlie of the fearefull apprehension of that horrible and barbarous crueltie; which undoubtedlie had so succeeded, if God of his infinit goodnesse had not wonderfullie preserved both their Majesteis, by the expectatioun of the said detestable murtherers. Finallie, for to show if they be carefull of the commoun weale, together with his Grace's service, after the Erle of Morton and his assisters had cleanged the Erle Bothwell of his father's slaughter, they made a privie band, whereby they promised to mainteane the said Erle Bothwell against all that would oppone themselves to their contract, which is subscrived with their owne hands, promising also to perswade or force the queen's Majestie to marie him. Which band Sir James Balfour would have shewed, and sufficientlie declared all the circumstances of this whole mater, if he had beene suffered, as he will doe yitt, God willing, when time and place may serve. These things foresaid being so done, they cast slanderouslie the ignominie of their secreit crime upon the queen's Majestie herself; and under that false and coloured pretence, they expelled her Hienesse unjustlie from her realme, which the Erle of Morton, sensyne, hath cruellie vexed and tyrannised over, under cloke of the king's Majestie's authoritie; as he and his factioun of Stirline persist to doe yitt, in exercising daylie diverse odious enormiteis, which they suffer never to come to the king's Majestie's knowledge, whose grandshir was slaine at the instigatioun of the Erle of Angus, uncle to the said Erle of Morton, and of George Dowglas, his father; who, for this effect, led King James the Fyft to the feild, contrarie his will, in boasting him outrageouslie, if he would not assent to their desires and remaine with him, they sould sunder him in two, and send one

half to their adversareis, and retaine to themselves the other. Wherefore, lett us beseeke the Almightie God to prosper and preserve eternallie the king's Majestie, our soverane, from all his enemeis; and speciallie from the said Erle of Morton's craftie practises, who, with his forbears, als presumptuous as he is, hath ever wickedlie aspired to the king's Grace's crowne; and so doeth yitt continue, having ejected the Hamiltons, who are neerest to his Hienesse' blood, to the effect that, after the king's Majestie himself be cutt off, he may, without impediment, come to his long desired expectatioun; to the utter confusioun and eversioun of this poore afflicted commoun weale, which it will please God to deliver of his tyrannie.

"*Per decretum Secreti Consilii.*"

D.

THE JUST COPIE OF THAT PART OF MR W. BALCALQUALL'S SERMON MADE IN THE KIRK OF EDINBURGH UPON WEDNISDAY THE 7TH OF DECEMBER, *anno* 1580, WHEROF HE SUPPOSETH, THAT ATHER THE ERLE OF LENNOX, OR ANIE OF HIS DEPENDERS, MAY TAK ANIE OCCASIOUN OF OFFENCE.

"After that, according to my maner, I had sensiblie exponed these words of the Apostle Peter, who giveth this precept following, 'Bee yee readie at all times to answere unto everie man who asketh reason of that hope which is in yow, with all lenitie and reverence;' amongst the rest of the notes which I observed of this place against the doctrine of the Papists, I observed this note and applicatioun following:—

"Of this place it appeareth, that it is not eneugh for Christians to keepe their faith onlie within their owne breasts, and hyde the professioun of their religion within themselves: but it behoveth them also, whenever need and necessitie requireth, to give a pub-

lict professioun and plaine declaratioun of that hope or faith which is in them, and religioun which they professe, notwithstanding of anie trouble and danger which may ensue therupon. This doctrine condemneth the damnable heresie of the Papists, who, concerning this mater, affirme that it is lawful unto a Christian, if he feareth anie danger or trouble, outwardlie to denie his faith and religioun, with this conditioun, that he keepe it closse within himself. In respect wherof it is, that both plainlie they speeke and write, that if anie of their Catholicks (for so they terme their Papists) come among us, (whom they call hereticks and Calvinists,) if they be affrayed of anie trouble or danger, it is lawfull to them to denie their Catholick or Roman religioun, and so dissemble with the same, that they doe anie thing that we bid them doe, and it were with their mouth to denie their Papistrie, subscrive the articles of our religioun, and be participant of the sacraments, with this conditioun, that they keepe their religioun inwardlie and heartilie to the Catholick Roman kirk, and faith therof. How farre this doctrine of the Papists doeth repugne to the doctrine of Peter and Paul, all men of sound judgement may easilie perceave. For Peter sayeth plainlie, that everie Christian ought to be readie to give a plaine confessioun of his faith when ever he sall be demanded: and Paul, writting to the Romans, he giveth this reasoun, that as man with the heart beleeveth unto righteousnesse, so also with the mouth he confesseth unto salvatioun. The Papists, in the contrare, plainlie affirme, that Christians may dissemble with their religioun, and denie the outward professioun therof.

"And as this doctrine in it self is most pernicious, so also it was wont als perniciouslie to be observed and followed by our Scotish Papists. For, within these two yeeres and lesse, our Papists stood [in] suche aw of the lawes of the realme and discipline of the Kirk of God, that they durst not plainlie professe their Papistrie, but were constrained ather to depart the realme, or subscrive to the religioun; which sindrie of them did, hypocriticallie, and against their heart; and yitt excuse their hypocrisie and dissimulatioun with this doctrine of the Papists, that it is lawfull to a Catholick to denie his

religioun, being amongst hereticks and Calvinists. But now, with the dolour of our hearts, we that feare God perceave, that the Papists have cast off their wonted dissimulatioun and feare, and have taikin suche hardinesse and boldnesse unto them selves, that not onlie were they bold in Parise, and other parts out of the countrie, plainlie to preache Papistrie, to impugne the truthe of the Gospell, to querrell and persecute their owne countrie men for the same, but also, when they are come home heere in Scotland, they darre not onlie professe their forsaid Papistrie, and impugne the truthe, but also debate their querrells upon the streets of Edinburgh, which, for the religioun, they had begunne in Parise. And suche bloodie and cruell Papists as durst be bold, in Parise, to cast whingers at the heads of the servants of God for religioun, are become now so bold, as to draw their bloodie swords upon the calsey of Edinburgh, to shed the blood of the professors therof. Wherin it may appeare, that their cruell mindes tend to performe that thing which, cruellie, in Parise they had begunne.

"And now, brethrein, to be plaine in this mater, whill they that feare God rypelie consider these things, they are compelled to feare these things to be the fruicts of our Frenche court, which, if they be, I pray God keepe us from the like, or worse. For if these things continue and go fordward, I will tell thee, O Scotland, and these that feare the Lord within thee, thou sall repent that ever this Frenché court came in Scotland, or that ever thou saw it, or the fruicts therof, with thy eyes. And this I am compelled to speeke, by reasoun of the great inconveniences that I perceave therewith to be conjoyned. But some, perchance, may demand and speere of me, what evill fruicts and inconveniences are these that I perceave to be therewith conjoyned, that make all good men therof mislyke? Among the rest, I onlie make mentioun of these few:—

"The First inconvenient that I see is this; that wheras, before this Frenche court came in Scotland, there were ather few or none that durst avow themselves for Papists, nather yitt publictlie in the countrie, nather in reformed citeis, nather in the king's palace.

But sensyne, not onlie beginne the Papists within the realme to lift up their heads, but also, our Scotish Papists, that were out of the realme, swerme home from all places, like locusts; and have tane suche hardement unto them, that not onlie have they had accesse to the Frenche court, but also in the king's palace, in the particular sessiouns of our kirks, and Generall Assembleis therof; durst plainlie avow their Papistrie, and impugne the truthe, both against the lawes of the realme and discipline of the kirk, contrare to all practise that we have had of before. And this inconvenience maketh us that feare God to suspect the forsaid court, and have a great mislyking therof.

"Secundlie, Wheras our king's Majestie, from his infancie, was trained and brought up in the feare of God, and by the mercie of God yitt continueth therinto; where before, no profane person durst come in his Grace's chamber of presence, his Grace's eares are now offended by a profane Frenche ruffiane, who, if he were in anie other reformed countrie, he would rather be hanged before the sunne, than to be suffered to pollute the eares of so good and so godlie a young prince; who, if he be not removed in time, they that feare God will repent that ever they saw him, or them that brought him heere.

"Thridlie, If we will give credit unto the constant brute of all men, not onlie is the countrie, and, namelie, the Kowgait, the Cannogate, and some houses of the toun, defiled with their whoordomes, but also that sicknesse which yee call the Frenche sicknesse, which, of old, was esteemed to be most odious in Scotland, is become most ryfe and commoun.

"Fourthlie, By their licentiousnesse, they have brought in suche vaine pastymes and foolish games with our whoorish dames, as have not beene seene of before in Scotland, tending to suche new licentiousnesse as will breed farther evill, if it be not prevented. As concerning other inconveniences, time will try; and I pray God we find them not to our hurt.

"Now, brethrein, I speeke not this as though I would flatter the iniquiteis of anie other courts. Na, my lords; from my heart,

I condemne the whoordoms and adultereis of your courts; the murthers, the oppressiouns, the cruelteis, and all the rest of the vices that are into your courts. But rather by the contrare, with Christ, I pronounce this against you, and against all your courts, that except yee doe repent, it sall be easier for Sodome and Gomorrha in the day of the Lord's judgements, than it sall be for you. And, therefore, my lords, the exhortatioun that I give unto you in the name of the Lord is this, That everie one of you be carefull, first, to beginne to reforme your owne persons, to reforme your owne housses and courts; to travell and see that the king's hous be weill reformed, that no profane nor mischant persons be found there, but suche as feare the name of God. If so yee sall doe, I doubt not but God sall be glorified, the poore realme and afflicted kirk within the same sall be conforted, the devill sall be ashamed, and the blessing and benedictioun of God sall abide and remaine upon the whole realme. Amen."

E.

"THE KING'S LETTER UNTO THE PRESBYTEREIS, FOR UNIOUN AND DIVISIOUN OF KIRKS; THE LAST OF MAY 1581.

"To our traist cousins and counseller, the Lord Seton, Lord Yester; and to our weillbelovits, the Lairds of Ormeston, Elphinston, Mr James Carmichaell, Mr Walter Hay, and Alexander Forrester, ministers, or so manie of them as sall be conveened.

"Traist cousine and weillbelovits, we greete you heartilie weill. Upon conference latelie had, and consideratioun taikin by some of our Privie Counsell, and certane of the ministrie, by our directioun and commandement, anent the actioun of the constitutioun of the ecclesiasticall policie, so oft ettled unto, and yitt unperformed, in the space of twentie yeeres, with the more now bypast, we have

perceaved how this worke hath alwayes heeretofore been hindered, through the great and manie troubles and alteratiouns which have occurred within our realme during that space, to the decay, not onlie of the ecclesiasticall discipline, and of all good order within the kirk, but to the great consumptioun and diminutioun also of the kirk rents, by fewes, tacks, pensiouns, and other dispositiouns practised and brought in use, als weill by bishops, commendatars, ministers, and readers, latelie provided to benefices since our coronatioun, as by others provided of old; besides manie abusses daylie creeping in, through the impetratioun of sindrie benefices to ministers and readers, suche as sute the same, concealing the just availl of the yeerlie rents of the said benefices, and obtean that oft tymes for a reader that might be a competent living for a minister: Others having obteaned once presentation, although their admissioun be justlie refused as unqualified, yitt intruse themselves in possessioun of the living, returning no report to us of their repelling, for their inhabilitie, that a better qualified person may be presented of new. Manie being admitted, upon their promise to serve and make residence, utterlie cast off that professioun, occupying themselves in profane charges, leaving the flockes over which they sould have care, by reasoun of their said livings, destituted of pastors, and yitt take up, and are answered of their rents; yea, cowppe, change, and diminishe the saids in suche skaithfull and shamelesse maner, as it may weill appeare they are altogether carelesse of the soules of them upon the fruict of whose labours they live, without thought of the posteritie that sould serve in these rowmes heerafter. Besides, consideratioun being taikin of the unequall divisioun of the dioceis, some being of so great and large bounds, as no one person is able convenientlie to visite the kirks therof, nather are the ministers, in these bounds, able to conveene so oft together in one place as need requireth: some other dioceis of lesse bounds conteaning fewer parish kirks nor were requisite, by a good order, nather these kirks lying contigue, it is thought, therefore, impossible to atteane to anie formall order likelie to have continuance to the posteritie over our whole realme, whill the ancient bounds of the

dioceis be dissolved where these parochins are thicke together, and small ones united; and where they are of over great and large bounds, to be divided, and thereafter presbyteries and eldership constituted for a dossone parochins or therabout, some moe, some fewer, as the commoditie of the countrie lyeth; where the ministrie and elders in these bounds conveening, may commodiouslie exercise ecclesiasticall discipline, and take order in the effaires of the kirk, saifer, as sall be appointed, before cognitioun therof be brought to the synodall assemblie.

"Wherefore, and to the effect that this worke in hand may proceed more formallie, to the honour of God, and ease and commoditie of all our good subjects, we have thought convenient, by advise of our counsell, and suche of the ministers as were heere conveened, that yee to whom we have directed this our letter, or so manie others within the bounds of the parochins, conteaned in this forme sent you heerewith, as yee sall find good [to] call unto your assistance heerin, conveene together at Hadinton, how soone goodlie yee can, and there consult all together; or then, with commoun consent, elect some fewer number among you of best zeale, judgement, and experience, to consider and trie the ancient and present estat of all these particular kirks and parochins in their bounds; which of them are principall parish kirks, and which pendicles; which are standing, and which decayed; and how manie parish kirks it were requisite, of necessitie, to have standing heerafter within the said bounds, and in which places, in consideration of the great number of kirks alreadie decayed, and not weill situat; having respect herewithall how a minister may be weill and honestlie susteaned at everie kirk according to the rents of that parochin: And for the more certantie, that yee trie out and certifie, als weill the ancient as present estate of the rentals of everie parochin, both personages and vicarages, pensioners and others; as also, all prebendreis, chaplanreis, and hospitalls; and by whom, and by what title, the rents therof are now possessed, whether it be a benefice of itself, or be a kirk annexed to anie prelacie ather within burgh or to landwart; and if the kirk be sett in

tacke, to whome, and for what maill and duetie; what was the conditioun therof before the tacks, or what may it be thought worth in an ordinar standing, extent, and value, if the present tacks were ended; and not to be hurt nor diminished from that availl and state by suche as sould be minister therin, to the prejudice of his successours therafter; and how manie worthie and weill qualified ministers there are presentlie within the said bounds; and at what kirks it is meetest they be placed at this nixt Alhallowmesse: and send us your report heerupon, in als speciall maner as may be, together with the good advice anent the executioun of the act of parliament for punishment of vagabounds, and support of the poore, where, unto our greefe, we see over little good will shewed, betuixt and the last day of Junie nixt to come; wherin yee sall doe us acceptable pleasure, and find your zeale and travells bestowed heerin greatlie to advance the commoun weill and quietnesse of our whole realme. Farther, yee may assure your selves, and all others that sall deale and treate in these maters, that our meaning is not anie wise to prejudge whatsomever laick patrons in their patronages, nor the present possessors of benefices provided of old during their lyftymes, nor anie persons provided of new, they doing their dueteis in their vocatioun, according to their promise, as becometh them. Nather minde we, that fewers, tacksmen, parochiners, and suche others as have lawfull and good titles, sall be prejudged in their rights and possessiouns, against the order of law.

"And so, looking for your resolute answere against the said day, and speciallie, if anie show themselves hinderers of your proceedings; and that one or two of your selves will repaire unto us with the said report in writting, showing your effectual good will to the furtherance of this good worke, and speciallie, to tak up all occasiouns of eylists, and differences amongst your selves, if anie be; at the least, to putt them under assurance, whill the first day of November nixt to come, that this commoun good worke be not hindered through anie of your particular querrells, as ye will declare your selves favourers of God's true religioun, and will doe us ac-

ceptable and good pleasure. Thus, we committ you to God. At Halyrudhous, the last day of May 1581.

"JAMES R.

"NAMES OF THE KIRKS.

"HADINTOUN.	MORHAME.	SETOUN.
OESTANFURDE.	ORMESTOUN.	BARRO.
SANCT MARTIN'S KIRK.	ABERLADIE.	GARBET.
BOLTOUN.	PENCAITLAND.	FAWLAY.
SOWTRAY.	SALTOUN.	KEITH MERSHELL.
BATHAN'S.	TRANENT.	KEITH HUMBIE."

F.

A DECLARATIOUN OF THE KING'S MAJESTIE'S WILL AND INTENTIOUN ANENT THE RELIGIOUN.

"JAMES, BY THE GRACE OF GOD, KING OF SCOTS, TO OUR LOVITS,—Messingers, our shireffs in that part, conjunctlie and severallie, speciallie constitut, greeting. Forsameekle as we, and the Lords of our Secreit Counsell, are surelie informed, that, of late, sindrie most false and untrue brutes and informatiouns are made and dispersed through our realme by some persons, our unnaturall subjects, moved and stirred up by the spirit of unquietnesse and seditioun, als weill privilie perswading as publictlie declaming, that we, moved or ellis seduced by some of our counsell, against our owne minde and inclinatioun, were induced to consent, that the true religioun taught and professed within our realme sould be subverted, Christ's kirk planted therein changed, altered, and rather removed, and in place therof, Papistrie to be erected, the most abominable idolatrie of the masse to be again receaved: All this tend-

ing rather to seditioun and commotioun of our faithfull subjects, than to anie edificatioun of Christ's flocke; meaning therethrough, as appeareth, for some their particulars, to disquiet our estate, the true religioun of Christ, and his kirk planted by his owne right hand, and to bring, so farre as in them is, contempt and disobedience both of the law of God and man; wherethrough it must be beleeved that the givers out of suche false brutes seeke no other thing but change of authoriteis and trouble of commoun peace, all to evade punishment of them and their confederats' offences committed against us and our lawes. And although the said brutes and reports be givin furth most falselie, yitt are the samine divulgat under colour of religioun, and title and name of the kirk, to persuade the simple multitude (as most subject to change and mutabilitie) that the samine are upon zeale of their obedience to God, whom they, with all the people, are bound rather to obey than to obey man; wherunto this tendeth in the mouths of suche troublesome, seditious, and unquiett spirits, fearing punishment for their enormiteis and offences knowne to us and our counsell. Wee doubt not but our good and faithfull subjects are able eneugh for to perceave Sathan with his members being discovered, who can transforme himself in an angell of light, remaining alway in all his actiouns enemie to Christ and to all his faithfull members; and from the beginning hath never prevailed against anie therof but by deceate, falshood, and lees, as of the whole historie of the Booke of God is easilie to learne. And in all their seditious brutes, and ungodlie perswasiouns, (to stirre our good subjects in our contempt to neglect their obedience and duetie ought to us,) they speeke, report, and esteeme of us, as of one being ather ignorant, an idiot, and carelesse of religioun and commoun wealth of our realme, or ellis that we are forced and compelled against our will, as being thralled and captive, to doe anie thing not seeming profitable and acceptable in their eyes; the verie forme of speeche and words used in all ages, to induce and provoke good subjects, to contempt and rebellioun against their soverane princes and lawfull magistrats; howbeit, God be praised, they can no wise justlie, in their causes, bur-

thein us, having givin sufficient prooffe to the world of the contrarie.

"Wherefore we, with advice of the Lords of our Secreit Counsell, command and charge all and sindrie erles, lords, barons, ministers, and others our lieges whatsomever, that they desist and ceasse from all publishing, preaching, reporting, or affirming of suche false brutes and manifest lees as are before mentioned, by the which, we and our counsell are most untruelie accused: Certifeing them, and every one of them, that doe in the contrare, that they sall be called, accused, and punished therefore, with all rigour, according to our Acts of Parliament, and lawes of our realme. Attour, by thir presents we, with the advice foresaid, declare and make manifest, that our principall care and affectioun is, to the glorie of God, the continuance of true religioun taught and professed, and Christ's kirk planted within this our realme, which we professe with our whole heart, and sall, God willing, mainteane with all power to our lyve's end; and sall not suffer anie other name, kirk, or religioun, to be professed, but the name, kirk, and religioun, of our Maister and Saviour, Christ Jesus, which were confirmed and established by our lawes, and ordinance of parliament, by advice of the whole estats; deteasting and abhorring all kinde of idolatrie, superstitioun, Papistrie, or other infidelitie whatsomever, with all kinde of false and hypocriticall religioun not conteaned in the Booke of God. And this we protest solemnelie before God, his deere Sonne, the Lord Jesus Christ, with his Holie Spirit, and you our subjects, his members, with our whole heart and minde, in due and faithfull obedience to our God, and reverence ought to his true kirk, ruled by his Word and Holie Spirit. Which declaratioun we make, of the tender love we beare to all our good and faithfull subjects, exhorting them no otherwise to be perswaded by the givers furth and proclamers of suche false brutes; and that they be not moved to anie conventiouns or assembleis, under whatsomever titles or names, whereby they may give occasioun of offence to us or our lawes, except our advice and directioun be had thereto; certifeing them that doe in the contrarie, that they sall be re-

puted, holdin, and punished, as makers of convocatioun of our lieges, disquietters of commoun peace, rebells and enemeis to us, our authoritie and lawes.

"And becaus it is come to our knowledge, that, by the saids disquietters of our commoun peace, rumors are published, that our deerest cousine, Esme, now Duke of Lennox, &c., sould be a counseller and deviser to us in the premises presentlie, of the erecting of Papistrie, and abolishing of the true religioun, which he hath subscribed with his hand, sworne in the presence of God, approved with the holie actioun of the Lord's Table, lyke as he is readie to seale the samine with his blood: We, therefore, with advice of the Lords of our Secreit Counsell foresaid, have thought expedient to publishe to all our faithfull subjects, the malicious falshood of thir calumneis layed and published against our said cousine, his faithfull and constant abiding in the true religioun of Christ professed within this our realme, his debtfull obedience to us, our authoritie and lawes, his care and diligence in the preservatioun of our persoun, with all other vertues required in a true counseller and obedient subject. That none of you our faithfull subjects be moved or animated against our said cousine, by the false brutes givin out by suche seditious persons, enemeis to our said cousin, or others our faithfull counsellers, whole estat, and commoun wealth of our realme, our will is heerefore, and we charge you straitlie and command, that, incontinent these our letters seene, yee passe to the mercat croces of all burrowes, and to all parish kirks within our realme, and there, by opin proclamatioun, make publicatioun and intimatioun heerof, that none pretend ignorance of the samine, as yee will answere to us therupon. The quhilk to doe, we committ to you, conjunctlie and severallie, our full power, by thir our letters, delivering them, by you duelie executed and indorsat, again to the bearer. Givin under our signet, at Perth, the 12th day of July, and of our raigne the 15th yeere, 1582.

"*Per actum Secreti Consilii.*"

THE COPIE OF THE KING'S MAJESTIE'S COMMAND.

"Alexander Arbuthnet, our printer, we greete you weill. It is our will, and we command you, that, after the sight heerof, yee imprint, and cause be imprinted, the proclamatioun made, tuiching the declaratioun of our intentioun tuiching the true religioun of Jesus Christ presentlie professed and preached within this realme; for the which, thir presents sall be to you sufficient warrant. Subscrived with our hand, at our Burgh of Perth, the 15th day of July, and of our raigne the 15th yeere, 1582.

"JAMES R."

THE KING'S VERSES WHEN HE WAS FYFTEENE YEERE OLD.

Since thought is free, thinke what thow will,
O troubled heart, to ease thy paine!
Thought unreveeled can doe no ill,
But words past out turne not again.
Be carefull, ay, for to invent
The way to gett thyne owne intent.

To play thyself with thy conceate,
And lett none know what thow doth meane;
Hope ay at last, though it be lait,
To thy intent for to atteane:
Whiles, lett it breake furth in effect,
By ay lett witt thy will correct.

Since foole-haste is not greatest speed,
I would thou shouldest learne to know
How to make vertue of a need,
Since that necessitie hath no law.
With patience, then, see thow attend,
And hope to vanquishe at the end.

ANTITHESIS.

Since thought is thrall to thy ill will,
O troubled heart, great is thy pain!
Thought unreveeled may doe thee ill,
But words weill past come weill again.
Be never carefull to invent
To gett thy owne, but God's intent.

Play not thy self with thy conceate,
For God knoweth all that thow doth meane.
Hope without faith will bring thee late
To thy intent for to attaine.
And when it breakes furth in effect,
Thy wylie witt God will correct.

Since of foole-haste came never good speed,
Pray God to give thee grace to know,
That vertue onlie forced by need,
Serveth little thanks to thee by law.
On God's will, then, see thou attend,
If thow would vanquishe in the end.

END OF THE THIRD VOLUME.

EDINBURGH PRINTING COMPANY, SOUTH ST DAVID STREET.

00111574

Digitized with financial assistance from the
Government of Maharashtra
on 23 March, 2016